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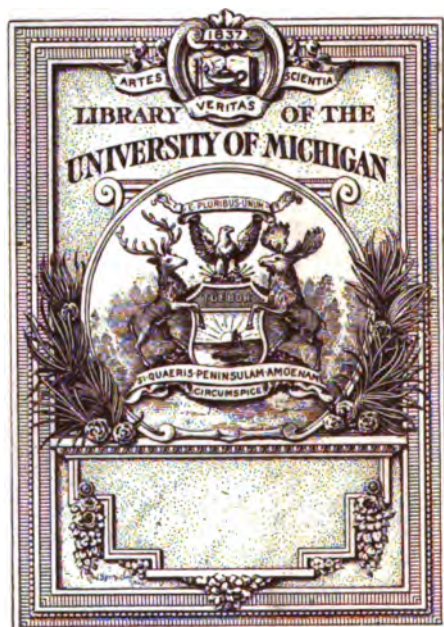
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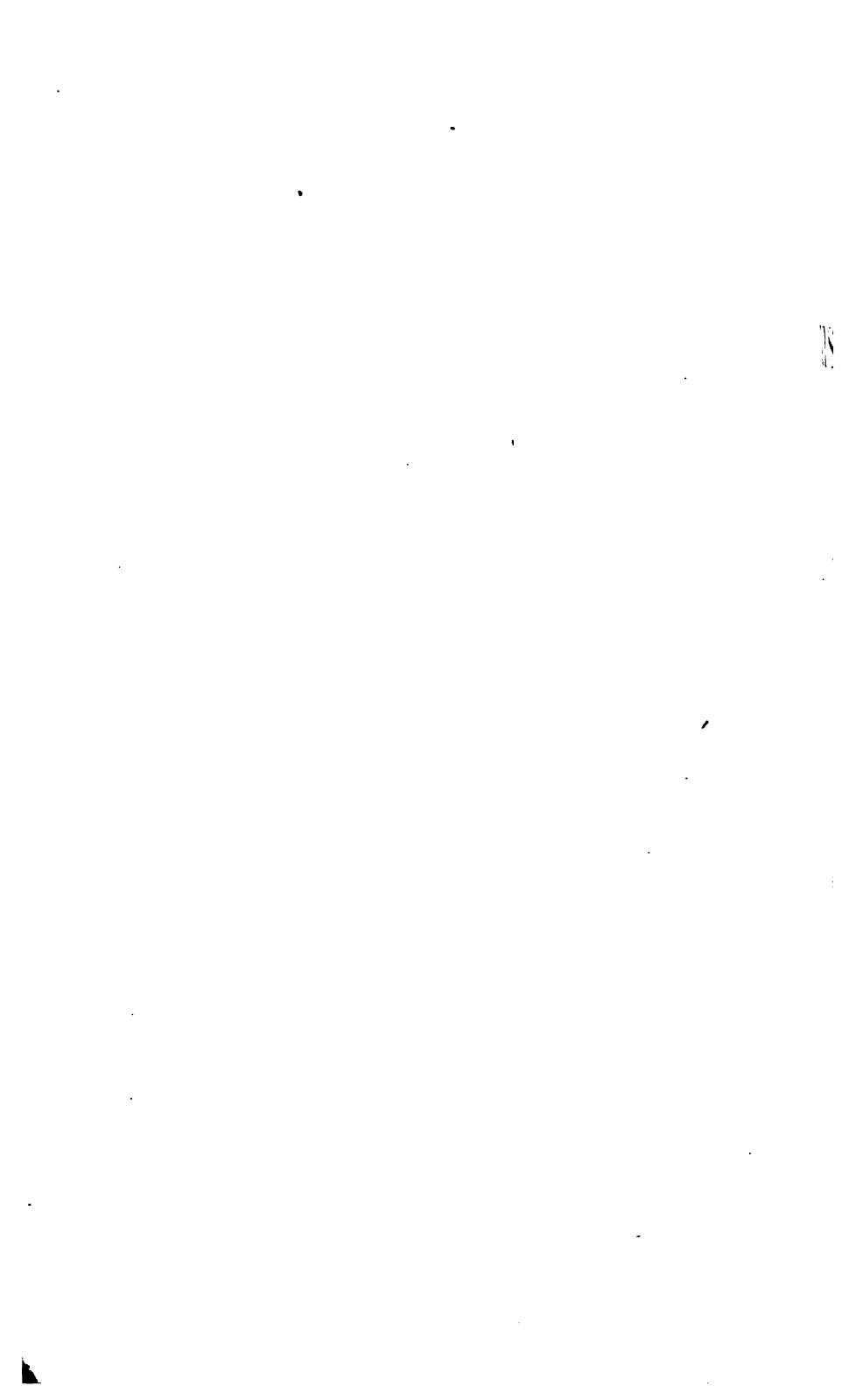


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# JOURNAL

OF THE

## House of Representatives

OF THE

### THIRTEENTH GENERAL ASSEMBLY

OF THE

## STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL, IN DES MOINES, IOWA, JAN. 10, 1870.



DES MOINES:

F. M. MILLS, STATE PRINTER.  
1870.





# JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, January 10th, 1870.

At 2 o'clock P. M. the House was called to order by the Hon. Jno. A. Kasson of Polk county.

On motion of Mr. Kasson, Hon. Charles Dndley of Wapello county was elected Speaker *pro tem*.

On motion of Mr. Stone of Mills county, Ohas. Aldrich of Marshall county was elected Chief Clerk *pro tem*.

On motion of Mr. Brown of Van Buren, Benj. Van Steenburg of Jackson county was elected Assistant Clerk *pro tem*.

On motion of Mr. Brown of Fayette county, George Bailey of Dallas county was elected door-keeper *pro tem*.

On motion of Mr. Miles of Washington county, H. C. Russell of Washington county was elected Sergeant-at-Arms *pro tem*.

On motion of Mr. Mahin of Muscatine county, Robert Baird of Muscatine county was elected Postmaster *pro tem*.

On motion of Mr. Murdock of Clayton county, W. M. Grannis of Clayton county was elected Assistant Postmaster *pro tem*.

Mr. Brown of Van Buren moved the election of a committee of five members on Credentials, the motion prevailed and the chair announced Messrs. Brown of Van Buren, Wilson of Tama, Miles of Washington, Irish of Johnson, and Rohlf of Scott, who were elected by a vote of the House.

Mr. Wilson of Tama moved that the roll be called, and that the members hand their credentials to the Clerk. The motion prevailed.

On motion of Mr. Irish of Johnson county, the committee on Credentials were instructed to report to-morrow morning at 10 o'clock.

Mr. Williams of Winneshiek county moved that the House adjourn until to-morrow morning at 10 o'clock.

The motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 11, 1870 }

House called to order by the Speaker *pro tem*.

Prayer by Rev. A. I. Hobbs.

Journal of yesterday read and approved.

Mr. Brown, of Van Buren, from the Committee on Credentials, submitted the following report:

MR. SPEAKER:—Your Committee on Credentials beg leave respectfully to report the following gentlemen entitled to seats in this House upon proper credentials.

- District No. 1—Christian Hirschler, David S. Bell, Patrick Gibbons.  
District No. 2—William Harper, Thos. J. Sater.  
District No. 3—Joshua G. Newbold, Joshua W. Satterthwaite.  
District No. 4—Joseph Ball, ———  
District No. 5—Joel Brown, Geo. N. Rosser.  
District No. 6—Chas. Dudley, Jno. H. Carver.  
District No. 7—Timothy O. Norris.  
District No. 8—B. F. Elbert.  
District No. 9—Claudius B. Miller.  
District No. 10—A. H. Stutsman.  
District No. 11—Lewis Miles, Jr.  
District No. 12—Frederick Teale.  
District No. 13—Jno. L. Millard.  
District No. 14—Neal W. Rowell.  
District No. 15—Leonard T. McConn.  
District No. 16—Wm. Butler.  
District No. 17—John Y. Stone.  
District No. 18—James M. Hood.  
District No. 19—  
District No. 20—W. W. Merritt.  
District No. 21—Jno. H. Hartenbower.  
District No. 22—  
District No. 23—D. T. Durham, B. F. Keables.  
District No. 24—M. E. Cutts, ———  
District No. 25—Jno. Morrison, Jr., B. A. Haycock.  
District No. 26—Jos. D. Miles, ———  
District No. 27—Geo. D. Harrison.  
District No. 28—Jno. Mahin, Wm. C. Evans.  
District No. 29—  
District No. 30—M. J. Rohlf, C. C. Applegate, Jno. W. Green.  
District No. 31—  
District No. 32—James Dunze, Emory De Groat.  
District No. 33—Jno. P. Irish, A. B. Cornell.

- District No. 34—Jas. P. Ketcham.  
District No. 35—Erastus Snow.  
District No. 36—John A. Kasson, Geo. W. Jones.  
District No. 37—Caleb Bundy, Jno. H. Tait.  
District No. 38—Cole Noel.  
District No. 39—G. S. Toliver.  
District No. 40—Wm. H. Campbell.  
District No. 41—  
District No. 42—Jno. F. Hopkins.  
District No. 43—Wm. K. Wood.  
District No. 44—James Wilson.  
District No. 45—  
District No. 46—Delos Arnold.  
District No. 47—  
District No. 48—  
District No. 49—Theophilus Crawford, John Christoph, Wm. Mills, Fred. O'Donnell.  
District No. 50—Cummings Sanborn.  
District No. 51—  
District No. 52—P. G. Wright, D. Dickerson.  
District No. 53—D. S. Lee.  
District No. 54—Aaron Brown, Jos. Hobson.  
District No. 55—H. B. Williams, A. O. Lommen.  
District No. 56—Amos S. Faville.  
District No. 57—Geo. W. Butterfield.  
District No. 58—H. O. Pratt.  
District No. 59—O. C. Harrington.  
District No. 60—  
District No. 61—S. B. Dumont.  
District No. 62—Henry L. Huff.  
District No. 63—Jno. D. Hunter.  
District No. 64—  
District No. 65—B. F. Hartshorn.  
District No. 66—Harwood G. Day.  
District No. 67—Constant R. Marks.  
District No. 68—Geo. H. Wright.  
District No. 69—J. D. Miracle.

Your Committee further report that they find Jesse Warren and T. B. Carpenter, of the District No. 60, J. W. Traer, of District No. 45, J. Q. Tufts and J. S. Beatty, of District No. 29, O. O. Stanchfield and E. A. Warner, of District No. 47, Jno. Beresheim, of District No. 19, A. R. Cotton, Saml. H. Rogers, and Benjamin Spencer, of District No. 31, Galusha Parsons, of District No. 64, Geo. H. McGavren, of District No. 41, John Russell and P. G. Bonewitz, of District No. 48, A. H. Swan, of District No. 22, Jno. F. Lacey, of District No. 24, Wm. Hopkirk, of District No. 4, and Samuel Murdock and H. B. Taylor, of District No. 51 are

present without credentials, but we find, from evidence in the office of the Secretary of State, that they are entitled to seats, and their admission is recommended; also, that A. Connor, of District No. 26, is not present, and there is no evidence before us of his right to a seat.

JOEL BROWN,  
J. D. MILES,  
JAMES WILSON,  
JNO. P. IRISH,  
M. J. ROHLFS,  
*Committee.*

On motion of Mr. Russell the report of the committee was accepted, and the committee discharged.

On motion of Mr. Rowell, the oath of office was administered to the Speaker *pro tem* by Mr. Brown, of Van Buren.

On motion of Mr. Millard, the oath of office was administered by the Speaker *pro tem* to the members.

On motion of Mr. Murdock the roll was called, and the members came forward and signed the oath of office.

Mr. Rowell asked leave of absence for Mr. Wood, which leave was granted.

Mr. Traer offered the following resolution, which was adopted.

*Resolved:* That the House now proceed to the election of its officers in the same order in which said officers were named in the proceedings of the Twelfth General Assembly.

The House then proceeded to the election of Speaker.

Mr. Russell nominated Hon. A. R. Cotton, of Clinton county.

Mr. Miles nominated Hon. John P. Irish, of Johnson county.

Whereupon a vote was taken with the following result.

Mr. Cotton, .....	83
Mr. Irish, .....	13

Those gentlemen voting for Mr. Cotton, were,

Messrs.—Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cornell, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson,—83.

Those who voted for Mr. Irish, were :

Messrs.—Bell, Christoph, Cotton, De Groat, Dunne, Gibbons, Hartenbower. Hirschler, Hood, Mills, O'Donnell, Wilson Wright of Allamakee.—13.

The absentees, were.

Messrs. Butterfield, Conner, Williams, and Wood.—4.

Mr. Cotton, having received a majority of all the votes cast, was declared elected Speaker of the House.

On motion of Mr. Murdock, Messrs. Russell and Irish were appointed a committee to conduct the Speaker to the chair.

On taking the chair, Mr. Cotton addressed the House as follows :

*Gentlemen of the House of Representatives :*

I thank you most sincerely for the honor and distinction you have conferred by calling me to preside in this Honorable body, and I am especially grateful for that kind feeling toward me, and for that confidence in me, which have induced you to entrust me with this responsible position. I assure you, gentlemen, that the best return in my power to make you for this manifestation of your friendship and confidence, shall be made by an attentive and faithful discharge of the duties of the place with which I have been favored.

In succeeding to the chair in this House, my position is rendered the more embarrassing by the knowledge that my efforts in discharging its duties must undergo the test of a comparison with the successful and skillful manner in which it has been filled by the very able and universally admired speaker by whom I have been preceded, but I feel assured that any imperfections on my part will be charitably regarded by you. We have convened to execute the great trusts confided to us of legislating for the many people inhabiting the broad domain of our State, and I hope that our session may prove pleasant to ourselves and profitable to our constituents.

The House then proceeded to the election of Chief Clerk.

Mr. Arnold nominated Charles Aldrich of Marshall county.

Mr. Irish nominated J. Knox Lyon of Lee county.

Whole number of votes cast .....	95
Mr. Aldrich received .....	82
Mr. Lyon received .....	13

Mr. Aldrich having received a majority of all the votes cast was declared duly elected Chief Clerk.

#### MESSAGE FROM THE SENATE.

A committee from the Senate, consisting of Senators Hawley,



Beardsley, and Fellows, informed the House that the Senate was now organized and ready to proceed to business.

The House then proceeded to the election of First Assistant Clerk.

Mr. Brown, of Fayette, nominated Benj. Van Steenburg, of Jackson county.

Mr. Irish nominated P. B. Bradley, of Jackson county.

The following was the result of the ballot:

Whole number of votes cast.....	95
Mr. Van Steenburg received.....	82
Mr. Bradley received.....	13

Benj. Van Steenburg having received a majority of all the votes cast was declared duly elected First Assistant Clerk.

The House then proceeded to the election of Second Assistant Clerk.

Mr. McCoun nominated H. C. Rippey, of Greene county.

Mr. Irish nominated N. S. Bright, of Jefferson county.

The following was the result of the ballot:

Whole number of votes cast.....	95
Mr. Rippey received.....	82
Mr. Bright received.....	13

The House then proceeded to the election of Engrossing Clerk.

Mr. Rogers nominated Miss Mary E. Spencer.

The following was the result of the ballot:

Whole number of votes cast .....	96
Miss Mary E. Spencer received.....	96

Miss Mary E. Spencer having received a majority of all the votes cast, was declared duly elected Engrossing Clerk.

The House then proceeded to the election of Enrolling Clerk.

Mr. Pratt nominated W. P. Gaylord, of Floyd county.

Mr. Irish nominated W. W. Woods, of Fremont county.

The following was the result of the ballot:

Whole number votes cast.....	95
Mr. Gaylord received.....	82
Mr. Wood received.....	13

Mr. Gaylord having received a majority of all the votes cast, was declared duly elected Enrolling Clerk.

The House then proceeded to the election of Sergeant-at-arms.

Mr. Mills nominated H. C. Russell, of Washington county.

Mr. Irish nominated Capt. John Renick, of Johnson county.

The following was the result of the election :

Whole number of votes cast.....	95
Mr. Russell received.....	81
Mr. Renick received.....	14

Mr. Russell having received a majority of all the votes cast, was duly elected Sergeant-at-Arms.

The House then proceeded to the election of Door-keeper.

Mr. Harrison nominated Thomas Morgan, of Louisa county.

Mr. Irish nominated S. E. Prior, of Jackson county.

The following was the result of the ballot :

Whole number of votes cast.....	95
Mr. Morgan received.....	82
Mr. Prior received.....	13

Mr. Rowell offered the following resolution :

*Resolved*, That the Speaker be directed to appoint a committee of three, whose duty it shall be to recommend to this House the name of three messenger boys, two paper folders and one janitor.

Mr. Murdock moved to amend by substituting "five" messengers instead of "three."

Mr. Wilson moved to amend the amendment—"that they be selected from families of deceased soldiers," which was adopted.

Mr. Brown, of Fayette, moved to amend the amendment by inserting after deceased soldiers, the words, "or widows' orphans," which was adopted.

The amendment of Mr. Murdock was adopted.

Mr. Dudley moved to amend by inserting "three" in lieu of "five" messengers, which was lost.

Mr. Miles moved to amend by inserting "three paper-folders," in lieu of "two," which was adopted.

Mr. Applegate moved to amend by adding to the committee the members from Polk county, which was lost.

Mr. Irish offered the following substitute, which was adopted :

*Resolved*, That the Speaker be authorized to appoint five messengers, three paper folders and a janitor for the House.

Mr. Mahin offered the following resolution :

*Resolved*, By the House of Representatives, the Senate concurring, that Robert B. Baird be appointed Postmaster, and G. F. Work, Assistant Postmaster of the General Assembly.

Mr. Irish moved to amend by substituting Miss Bettie Bircher, of Fremont county, in lieu of Mr. Work, for Assistant Postmaster, and demanded the yeas and nays, which were as follows :

The yeas were—Messrs. Bell, Campbell, Christoph, Crawford, De Groat, Dunne, Gibbons, Green, Hartenbower, Hirschler, Hood,

Irish, Mills, Morrison, O'Donnell, Rogers, Spencer, Stanchfield, Toliver, Traer, Warner, Wasson, Wright of Allamakee, Wright of Sac—24.

The nays were—Messrs Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cornell, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wilson, Mr. Speaker—73.

Absentees—Messrs. Conner, Williams and Wood—3.

So the motion to substitute was lost.

Mr. Brown of Fayette moved to amend by inserting Ezra Rathburn as mail carrier, which was adopted.

The resolution, as amended, was adopted.

Mr. Rogers introduced the following resolution which was adopted:

*Resolved*, That the several clergymen in actual charge of the churches in the city of Des Moines, or visiting clergymen, be invited to officiate as chaplains of the House and that they arrange among themselves the order in which they shall act, and that the Chair appoint a committee of two to carry this resolution into effect, whereupon the Speaker appointed Messrs. Rogers and Jones.

Mr. Dudley moved that the House adjourn until 2 o'clock P. M., which motion prevailed and the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

On motion of Mr. Dudley, the officers elect of the House of Representatives were sworn in.

Mr. Harper offered the following resolution:

*Resolved*, That a committee of three, of which Mr. Russell, of Jones county, shall be chairman, be appointed to report rules for the government of this House, and that the standing rules of the last House be adopted as the rules of this House until further action is had.

Mr. Morrison offered the following substitute, which was adopted :

*Resolved*, That the rules of the last House be the standing rules of this House, and that the chief clerk be instructed to have five hundred copies printed for the use of the members, and have attached to said rules the name, age, weight, occupation, county, post-office address, length of time in the State, religion, nativity, arm of the service, and boarding-place of members of this House, also, a diagram of the Hall of the House and Senate Chamber attached to said rules, and a list of the Standing Committees appointed by the Speaker.

Mr. Stanchfield moved that a committee of two be appointed to inform the Senate that the House is now organized and ready to proceed to business, which motion prevailed, and the chair appointed Messrs. Stanchfield and Murdock as such committee.

Mr. Harper offered the following resolution, which was adopted ;

*Resolved*, That the postmaster of this General Assembly be directed to furnish each member and officer of the House of Representatives with postage stamps, as provided by act of the Twelfth General Assembly, chapter 155, section 1 ; and that the Secretary of State be directed to furnish said postmaster with postage stamps to enable him to comply as above directed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following resolutions, in which the concurrence of the House is respectfully asked :

That relating to the appointment of postmaster, assistant postmaster and mail carrier.

That relating to the holding of a joint convention for the purpose of canvassing the votes for Governor and Lieutenant-Governor.

*Resolved*, By the Senate, the House concurring, that the Senate will meet the House in Joint Convention for the purpose of canvassing the vote for Governor and Lieutenant-Governor, on Wednesday, January 13, at 10 o'clock A. M.

*Resolved*, By the Senate, the House concurring, that Geo. F. Work be elected Postmaster, Francis White, Assistant Postmaster, and Ezra Rathburn, Mail Carrier for the Thirteenth General Assembly.

JAMES M. WERT, *Secretary*.

Mr. Mills offered the following resolution which was adopted.

*Resolved*, By the House of Representatives, the Senate concurring, That the Secretary of State be directed to furnish each member of the General Assembly a copy of the Revision of 1860, and of the statute passed subsequent thereto, the latter bound in one volume.

Mr. Brown of Van Buren, moved to take up the Senate Joint Resolution relative to the canvass of the votes for Governor and Lieutenant-Governor. The motion prevailed.

On motion of Mr. Ketcham, the House concurred in the Senate resolution.

The House refused to concur in the Senate resolution in regard to postmaster, etc.

Mr. Traer moved that a committee of two be appointed to inform the Governor that the House is now ready to receive any communication that he may see fit to communicate. The motion prevailed.

The Chair appointed Messrs. Traer and Crawford as such committee.

Mr. Irish offered the following resolution which was lost :

*Resolved*, That the Secretary of State be instructed to furnish the reporters the same supplies that are furnished members of the House.

Mr. Ball offered the following resolution :

*Resolved*, That the members of the House pay for their own knives and gold pens and other things contained in the "Yellow package" furnished by the State, and that the Secretary of State ascertain the cost thereof and charge the same to each member.

On motion of Mr. Arnold, the resolution was laid on the table.

Mr. Traer, from the committee to wait on the Governor, reported that they had performed that duty and that the Governor would soon send in his Biennial Message.

On motion of Mr. Dudley, a special committee of three was appointed to examine the facts in relation of the contested election case of A. B. Cornell *vs.* David Stuart, and Messrs. Dudley, Brown of Van Buren, and Mills, were appointed as such committee.

Mr. Morrison offered the following resolution.

*Resolved* : That the chief clerk be authorized to order for the use of each member twenty copies of daily papers, or their equivalent in weeklies.

Mr. Murdock moved to strike out "20" and insert "40"

Mr. Miles moved to amend by inserting, "*published in this State.*"

Mr. Hopkins moved to lay the matter on the table, which motion was lost.

The question recurring on the amendment, "published in this State," it was adopted.

Mr. Sater moved to lay the resolution on the table.

Mr. Irish demanded the yeas and nays, which were as follows.

The yeas were :—Messrs. Arnold, Beresheim, Christoph, Crawford, Day, De Groat, Dickerson, Gibbons, Green, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Sanborn, Stone, Taylor, Traer, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—42



The nays were:—Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Haycock, Hopkins, Hopkirk, Jones, Kasson, Keables, Ketcham, Lacey, Marks, Miles of Washington, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Toliver, Tufts, Warner.—54.

Absent and not voting:—Messrs. Conner, Russell, Williams and Wood.

So the motion did not prevail.

Mr. Sater moved to amend by inserting "10."

Mr. Lacey moved to amend the amendment by striking out "10" and inserting "5."

Mr. Dudley demanded the yeas and nays, which were as follows:

Messrs. Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Dumont, Durham, Elbert, Harper, Harrington, Haycock, Hobson, Hopkins, Hopkirk, Keables, Ketcham, Lacey, Lee, Lommen, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Spencer, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner—46.

The nays were, Messrs. Applegate, Arnold, Beresheim, Butler, Christoph, Crawford, Day, De Groat, Dickerson, Dunne, Evans, Faville, Gibbons, Green, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Huff, Hunter, Irish, Jones, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Sanborn, Stanchfield, Stone, Taylor, Traer, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—49.

Absentees, Messrs. Conner, Kasson, Russell, Williams, and Wood—5.

So the motion did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has considered the Joint Resolution of the House in relation to postmaster, assistant-postmaster, and mail carrier for the General Assembly, and refuse to concur, and have appointed Senators McNutt and Campbell as a Committee of Conference, and ask the appointment of a similar committee on the part of the House.

J. A. T. HULL, *Assistant-Secretary.*

## MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor, by his private secretary, Mr. W. H. Fleming :

*Gentlemen of the Senate and House of Representatives :*

In accordance with the requirements of the constitution, it becomes my duty to present for your consideration a succinct account of the condition of the State, and of the institutions under its care, with such recommendations and suggestions as may seem to be called for.

## FINANCES.

The condition of the finances is fully shown in the report of the Auditor of State, which is before you, and in that of the Treasurer of State, herewith submitted.

During the fiscal term ending October 31st, 1869, the period covered by those reports, there was received into the treasury, on account of the general revenue, inclusive of \$82,114.48 on hand November 1st, 1867, the sum of \$1,839,668.12; the expenditures amounted to \$1,553,507.96, leaving a balance in the treasury of \$386,160.16. The above mentioned reports show the sources of this revenue, and the objects of these expenditures. This balance, it is proper to state, includes the sum of \$9,519.63, paid out on account of losses by fire at the Penitentiary, for which the Treasurer holds the Warden's receipt. This amount deducted, there is an actual cash balance of \$276,650.53 in the treasury. This large amount is partly due to the payment by the general government of the sum of \$229,827.39, on account of claims for expenditures by the State during the war, and the further sum of \$18,117 to reimburse outlay for the defense of the northern border of the State, subsequent to the massacre at Spirit Lake in 1857.

This balance is the largest ever reported at the close of any fiscal term, and indicates a condition of financial soundness which, it is believed, few of the States enjoy. There should be, at all times, a sufficient surplus in the treasury with which to cash all warrants promptly on demand. Such has been the case in the main with us for several years, and during the term just closed the State Treasurer paid every warrant on presentation; and there are now no outstanding warrants drawing interest.

The receipts during the fiscal term on which we have just entered, including balance of general revenue in the treasury, November 1st, 1869, are estimated at \$2,308,883.57, and the expenditures at \$1,107,855.20, to which sum must be added such special appropriations as the General Assembly, in its wisdom, may see fit to make.

The long experience of the Auditor of State, both as county and State official, and the faithful and acceptable services of that officer and of the Treasurer of State, in their respective departments, entitle the suggestions in their reports, on matters of vast importance to us, to your favorable and careful consideration.

#### INDEBTEDNESS.

The bonds issued in 1858 for \$200,000 ceased to draw interest on the first of January, 1868. Prior to that time, as stated by my predecessor in his message to the last General Assembly, the amount of \$114,000 had been paid. The remainder of these bonds have since been redeemed. Our existing indebtedness, therefore, consists of the war and defense bonds of May, 1861, amounting to \$300,000, and drawing seven per cent interest. These bonds are not due till 1881. I would recommend, however, that the Treasurer of State be authorized to use surplus funds in the treasury for the purchase and cancellation of these bonds, whenever they may be obtained at par, and when, in the opinion of that officer and of the Auditor of State, the condition of the finances will allow it.

#### THE CENSUS.

The Census of 1869, being the eleventh enumeration of its inhabitants made under the authority of the State of Iowa, shows a continuous increase in the population and resources of the State. The report of this Census, carefully prepared by the Secretary of State, is before you. It will be found to contain a vast amount of information, in addition to that comprehended in the Census proper. Two counties and one township failed to report; for these I have adopted the figures of the Census of 1867, although a closer approximation to accuracy would be attained by the substitution of higher figures.

The total population of the State, according to this report, with the additions mentioned, is 1,042,807, an increase during the two years since the last previous enumeration of 140,767, or 15.60 per cent—an average of 7.80 per cent per annum: about two and a half times the average annual increase of the United States during each decennial period: Of this population 5,345 were persons of color, an increase of only 630 or 13.30 per cent. The smallness of this gain—it being less, both absolutely and relatively, than is reported in any previous biennial period since the first enumeration of this class of population—tends to demonstrate the correctness of the views, long entertained by leading statesmen, that, with the abolition of slavery, this race would incline to settle in warmer climates.

The population of the State to the square mile, in 1847, was 2.1; in 1850, 3.4; in 1856, 9.4; in 1860, 12.2; in 1865, 13.7; in 1867, 16.4; and in 1869, 18.9.

Not only is the increase of our population satisfactory, but its permanent character is demonstrated in the greater proportionate increase of dwelling-houses. In 1867 there were 155,558 of these, or 100 to every 580 souls; now there are 183,921, or 100 to every 566 souls.

The returns of agricultural labor continue to show steady and vigorous development of this prime source of our wealth. There were produced in the State, during the year 1866, 14,635,529 bushels of wheat, 56,928,938 of corn, and 17,552,064 of all other grains; and in 1868, 17,963,555 bushels of wheat, 76,507,577 bushels of corn, and 20,237,426 bushels of all other grains. Other articles of produce show similar advancement. But in nothing are the natural resources of the State being developed more rapidly than in the amount of coal mined. In 1864, 66,663 tons of coal were taken out; in 1866, 99,320, an advance of nearly 50 per cent.; and in 1868, 241,453 tons, an increase of over 143 per cent above the yield of 1866. Recent discoveries of extensive coal-fields in our State are of peculiar interest and value at this time, when the vast prairie lands of our north-western counties are being rapidly filled with settlers.

#### PUBLIC LANDS.

The report of the Register of the State Land Office, herewith submitted, presents a very full review of the condition of the various land-grants, giving in detail the lands located with special swamp-land indemnity certificates, and also those certified under several of the railroad grants.

The extent of the various grants made to the State is as follows :

For the use of common schools—

16th section grant, acres.....	1,013,614.21	
500,000 acre grant, acres.....	530,395.96—	1,544,010.17

For the use of the University—

University grant, acres.....	45,928.84	
Saline grant, acres....	46,101.53—	92,030.47

For the Agl. College and Farm--

Agricultural College Grant, acres	204,309.30	
Five-section grant, acres....	3,200.00—	207,509.30

Total for educational purposes, acres		<u>1,843,549.94</u>
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## Swamp-land grant—

Lands in place, acres.....	814,878.71
Indemnity, acres.....	318,844.88—1,133,723.59

## Grants for internal improvements—

Des Moines River, including that for railroad to Minnesota, acres,	833,079.90
Burlington & Missouri River Rail- road, acres.....	287,095.34
Mississippi & Missouri, [now Chi- cago Rock Island & Pacific] R. R.	476,674.36
Iowa Central [now Cedar Rapids & Missouri] Railroad.....	775,454.19
Dubuque & Pacific [now Iowa Falls & Sioux City] Railroad.....	1,226,538.32
McGregor Western [now McGre- gor & Missouri] Railroad.....	372,800.00
Sioux City & St. Paul Railroad ..	328,030.00—4,299,672.11

Aggregate of all grants, exclusive of indemnity school lands, acres.....	7,276,945.64
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In addition to this amount, many thousands of acres more will probably be patented to the State on account of the swamp-land grant, and some perhaps in lieu of the sixteenth section, disposed of prior to the grant of that section by Congress. Besides the lands given to the State for these various objects, the general government has granted land directly to certain railroad companies to aid in building their lines of roads. These grants, in the aggregate, make a gift of magnificent dimensions, and include one-fourth of the territory of the State, and, taken together, comprise an area equal to that of the States of Massachusetts, Rhode Island, and Connecticut.

## COMMON SCHOOLS.

The report of the Superintendent of Public Instruction gives a comprehensive view of the workings of our common school system during the last two years. A gratifying progress in the cause of popular education is apparent.

The number of districts (including independent districts) is 1462, an increase 141 in the biennial period; the number of schools is 7009, an increase of 780; of these schools 221 are graded. The number of persons between the ages of five and twenty-one is 418,168; the aggregate number attending school is 296,138, or



70.82 per cent of the whole, and the average 178,329, or 42.65 per cent of all. In 1867 there were 372,969 within the school ages, of whom 257,281, or 68.98 per cent, were enrolled as scholars, with an average attendance of 148,620, or 39.85 per cent. The percentage of attendance, both aggregate and average, thus shows a satisfactory increase. I find that in 1857, the last year under the former system of districts, the number enrolled in the schools was only 407 in 1000 of the whole number of children between the prescribed ages; in 1865, it had advanced to 670; in 1867, to nearly 690; and in 1869, to 708, as shown above. In 1865, the average attendance equaled 369 in 1000; in 1867, 398; and in 1869, 426. I find no return of the average in 1857, and am therefore unable to compare it with figures of later years.

The number of teachers employed in 1869 was 11,994; in 1867, 10,343; and in 1857, 2,996. The average compensation of male teachers in 1869 was \$9.24 per week; in 1867, \$8.97; in 1857, \$6.09;—of female teachers in 1869, \$6.79; in 1867, \$6.16; in 1857, \$3.24. In 1869 there were 743,521 days of school taught, an increase since 1867 of 94,841, and since 1857 of 575,245. The average cost of tuition in 1869 was 34 cents; in 1867, 34½c. The amount paid teachers in 1869 was \$1,438,964.04; in 1867, \$1,161,653.13; in 1857, \$198,142.55. The number of school-houses is 6,407, worth \$5,295,364.45; in 1867 there were 5,454, worth \$3,450,978.93; and in 1857, 1,686, worth \$571,063.91. The amount of district tax levied last year for the teachers' fund amounted to \$1,106,040.21, and in 1867 to \$620,341.12; in 1857 \$71,784.58 was raised by "rate-bill and voluntary subscriptions." For all other purposes, the district tax levied last year was \$1,407,872.71; in 1867, \$877,974.69. I have extended this statistical exhibit so as to afford a view of the growth of our school system, and of the increasing interest of the people in it. I have cited the figures of the year 1857, because they were the last under the former educational system of the State, which gave place in the following year to that now in force, and hence furnish a proper basis upon which to estimate the growth of our educational interests. In 1857 there were 195,285 children within the school ages—a little less than one half the present number, while the population of the State was a little more than half that of to-day; yet the number of scholars then enrolled was less than one-third, that of school-houses about one-fourth, that of teachers and of school days less than one-fourth those of 1869. The amount paid teachers in 1857 was less than one-seventh, that of the value of the school-houses was about one-ninth, and the amount provided in the districts for the support of teachers less than one-fifteenth those of the past year.

These figures are not only pleasing, but they demonstrate the gratifying success of the present plan of organization, which, with sundry modifications, has now been in operation over eleven years. Yet satisfactory as these statistics may be, we should sadly err, if

we were to imagine that nothing more can be done by us. What we now behold are only the beginnings of a temple of knowledge, whose magnitude and grandeur will be commensurate with the wisdom and munificence of its builders. I recommend, therefore, such legislation as may be found necessary towards supplying defects in our existing educational system and for expanding it, so as to make it more thorough and comprehensive. The recommendations of the Superintendent, whose long experience as an educator, in our own and other States, entitles them to your attentive consideration, will be before you in his report. I would suggest, in view of the vast extent of our State, the importance of the work, and its increasing demands on the time of the State Superintendent, whether it would not be advisable to provide for the selection of one assistant-superintendent in each congressional district, whose duties would be indicated by their official designation, and who should be required to hold teachers' institutes in the several counties within their districts. I believe this would provide for a better and more effectual supervision of our schools, both general and local, than we have yet known, and be a means of advancing the standard of both officers and teachers of the schools. Much time and expense, I think, might be economized if our schools could enjoy the benefit of actual, frequent, personal supervision by county and State superintendents. These superintendents should be practical educators, chosen because of especial qualifications for these responsible positions. Your experience and knowledge of these matters, however, will enable you, with other means of information, to decide and act on all these subjects to the satisfaction of the people.

I would call the attention of the General Assembly to the salary of the Superintendent of Public Instruction. I appointed the present incumbent one year ago, to fill the vacancy occasioned by the death of the lamented Wells, without his solicitation and against his protest, because I believed him possessed of a degree of enthusiasm and love for common schools rarely excelled. He accepted this position with a salary of \$1,500, resigning one worth more than double this amount.

#### NORMAL SCHOOLS.

The proper education of the youth of our State is a duty paramount to every other. To do this we must have well-qualified teachers. The graduate from the normal school having been educated with special reference to the courses of study and methods in the public schools, will, of necessity, other things being equal, take the precedence over one educated without this previous preparation.

At the present time, so far as I can learn, the demand for well-qualified teachers is far greater than the supply; and the rapid

increase of the population of the State multiplies this deficiency. The Normal Department of the State University, which is the only professional school in the State for educating teachers, specially, is altogether insufficient to meet this growing demand. In justice to our best interests we ought at once to widen our normal-school facilities.

In most of the leading States, normal schools, to the number of two or more in each, have been established, and receive annual appropriations from their legislatures. The beneficial influence of such schools is no longer questioned; and we may with profit follow their example. I feel confident that the hope of our common schools lies largely in this special preparation of teachers, and I would therefore urge upon the General Assembly to do something in this direction. It has occurred to me, that, if my recommendations hereinafter made relative to vacating the "Soldiers' Orphans' Homes," at Glenwood and Cedar Rapids meet your approbation, those new buildings could be fitted up for the purpose of normal instruction.

#### STATE UNIVERSITY.

During the last session of the General Assembly, the long vacant presidency of the University was filled by the appointment of James Black, D. D., of Washington College, Pennsylvania, a ripe scholar, and a gentleman of acknowledged ability. The wisdom of the selection has been justified by the history of the University since he became connected with it.

Two departments, devoted especially to instruction in the learned professions, have been established within the last two years. The Iowa Law School, a private institution, situated at Des Moines, was, in September, 1868, removed to Iowa City, and, being merged in the University, became its law department; the gentlemen who had previously conducted the law school with eminent success being chosen professors of the new department.

In the same month, the Board of Trustees established the medical department, but it was not until the June following that any of the chairs were supplied, and it is only within a few weeks that the last remaining vacancy in the faculty was filled. It is intended to open this department in the fall of 1870.

The preparatory department, so long an offense to many friends of the University, has been discontinued, and its more advanced class merged in the collegiate department, the course of study therein being extended to five years. There has also been a rearrangement of the course of studies, an increase in the list of optional ones, and larger provision made for the study of our own language and its literature.

Altogether, the history of the last two years of this institution has been most cheering to its friends. It is a laudable ambition

which aspires to the hope that in this fair commonwealth shall be reared and institution, which, enriched by culture, strong in the sympathies and affectionate pride of the people, and wisely and judiciously managed, shall one day rank with the most famous seats of learning.

The endowment fund of the University is \$212,396.28. This is exclusive of unsold land, which is valued at \$22,049.28. The income of the University, during the two years ending June 30, 1869, was \$60,182.65, inclusive of \$8,287.83 received from the State treasury, and the expenditures \$54,372.22. Many improvements have been made in the buildings and equipments, and considerable accessions to the library; a law library established, and additions made to the geological, botanical, and other collections to the scientific apparatus; for details of which you are respectfully referred to the report of the Board of Trustees.

#### STATE LIBRARY.

The report of the Librarian shows the present condition of the State Library. The number of volumes therein is 10,961, besides several hundred pamphlets. During the last two years, sixteen hundred and thirty-one volumes have been added to the Library by exchange and donation, and thirty-five have been sent away. The act of the last General Assembly, reviving a law repealed in 1864, giving the Secretary of State authority to dispose of Supreme Court Reports in exchange for books on law and equity, to be selected by the Judges of the Supreme Court, has caused an accession to the law library of 542 volumes of valuable and needed works, and more are yet to be received. From this source we may rely on receiving about one thousand dollars' worth of books per annum. These, with exchanges and donations, will add to the library not far from two thousand volumes during the next two years. Besides, the general library, to which no additions have been made since the removal of the capital from Iowa City except of a few books presented to the State, should be replenished. Yet the library apartments are too small even for the present demands, a great number of books being boxed up and otherwise put away, for want of room. I respectfully urge upon the General Assembly, therefore, the necessity of providing additional shelf-room for the library. For this purpose, the room now occupied by the Supreme Court might be taken, and other provisions made for the accommodation of that tribunal. I would also recommend the revision of the law on this subject. The present act was passed many years ago, when the number of volumes in the library was quite small, and when one of the State officers could readily attend to it without neglect of his other duties. Now, the proper care of the room and books require the time and attention of one person, who should receive appropriate compensation therefor, and be held

responsible for the safe keeping of the property. He should also have charge of the reception and distribution of all books connected with the library under the laws of the State.

ADJUTANT AND QUARTERMASTER-GENERAL'S OFFICE.

The report of the Adjutant-General, and Acting Quartermaster-General gives many interesting facts in relation to the collection, return by companies and individuals, and the present location and distribution of the arms, etc., belonging to the State, which are fully set forth in the tables accompanying the reports, as also the expenses of the Quartermaster's department and for clerks. It appears that he has paid into the State treasury the sum of two thousand and eighty-one dollars and fifteen cents for unserviceable arms, etc., sold. He has also returned to the State treasury the sum of six thousand six hundred and sixty-five dollars and twenty-three cents of the nine thousand five hundred dollars appropriation made at last session for new building, iron furniture, fence, and other improvements in the Adjutant-General's office. The sale of the arms, etc., obviated the necessity, under the law of cleansing and repairing the same, and also the need of another building for their accommodation. His course in this respect met my recommendation and approval. There are now due to the State from the United States, in arms, accoutrements, etc., \$31,425.07.

The returns and estimates for the year 1869 make the number of militia 141,646.

The Adjutant-General issued, under chapter 123 of the Laws of the Eleventh General Assembly, and chapter 8 of the Laws of the Twelfth General Assembly, being the acts in reference to the gray uniforms for the Second and Third Iowa Infantry, eight hundred and fifty-two certificates, amounting to twelve thousand and sixty four dollars and one cent. The whole appropriation for the "gray suit" was thirteen thousand five hundred dollars and ninety-nine cents; but from the Adjutant General's statement I am satisfied that just claims could be filed amounting to more than this balance. I would therefore call the attention of the members of the General Assembly to this matter, so that justice may be done to all.

The Adjutant-General has issued, under chapter 120, of Laws of the Twelfth General Assembly, providing for the adjustment of claims of members of the First Iowa Cavalry, five hundred and sixty-nine certificates amounting to twenty-seven thousand eight hundred and sixty-seven dollars and forty-two cents. The applications and evidence in these cases, together with the pay-rolls (except for eighty-eight dollars) of each company, have been furnished to the Commissioner of war claims of the State against the United States.

The duties of the Adjutant-General, aside from those as acting

Quartermaster-General of the State, during the last two years, have been mostly confined to answering letters from officials, and from officers and privates of our late volunteer force. An examination of the correspondence in relation to enlistments, dates of musters, credits, absences, discharges, etc., will show at once the importance of a correct record in this department. Through the department of the Quartermaster-General of the United States, there has been furnished to this State, in common with the other States, about five thousand pages of printed matter, showing the graves of the Union dead in national cemeteries and elsewhere. Each State thus has an opportunity to transfer from that record the facts which give the place of burial, and location and number of grave, of each of its soldiers, so far as furnished. The data in the copies furnished to this State have nearly all been transferred to our rosters of regiments, and upon the receipt and entry of the numbers of these reports, soon to be issued, we shall be enabled to tell the exact location of the remains of most of our dead. Still there will be many graves of brave men, which, in spite of all the efforts of kind friends and all the power and aid of the government, will remain marked "Unknown."

The Adjutant-General recommends the copying of certain documents and rosters in his department, and I would direct your attention to this matter.

There are still large amounts due to Iowa officers and soldiers who served in the Union Army. These amounts include claims for back pay, bounties, commutation of different kinds, and pensions, and there is a strong probability that Congress will pass some law for the relief of the soldiers of 1812. The Adjutant-General is cognizant of most of the facts in the more complicated cases of the first named class of claimants, still unsettled and still unattended to; and it appears to me that it would be justice to our soldiers to require that officer to attend to all these claims of our late volunteers, and also to those of the soldiers of 1812. These last named veterans are few in number, and are worthy of all the aid and assistance that can be rendered by the State. This service should be rendered all these claimants, and all necessary blanks and instructions not furnished by the United States should be supplied from the Adjutant-General's office without charge.

#### WAR AND DEFENSE CLAIMS.

On the last day of the Fortieth Congress, an act was passed, appropriating \$229,848.23, or so much thereof as might be found necessary to reimburse the State for expenses incurred and payments made during the rebellion, as examined, audited, and found due the State by Gen. Robert C. Buchanan, commissioner, under act of July 25, 1866. In accordance with this act I received in July last from the general government, through the State Commis-

sioner, a draft for the sum of \$229,827.39, the amount ascertained by the auditing officer of the federal government to be due the State. I have also received, through the same channel, a draft for \$18,117, on account of claims arising prior to the war, as before mentioned. For both these amounts I hold the Treasurer's receipt.

The aggregate amount of these claims originally was \$1,090,754.78, of which \$867,661.63 have been allowed and received by the State; \$28,739.22 have been suspended and disallowed; and \$194,353.93 are in process of settlement. How large a proportion of the amount yet withheld, namely, \$223,093.15, will be recovered is extremely doubtful. But the commissioner thinks it not impossible to collect within ten per cent of the gross amount of our whole claims. To do this will require payment by the general government of an additional sum of \$114,017.67.

#### GEOLOGICAL SURVEY.

The report of the State Geologist is received, and will be laid before you. The last General Assembly made no provision for the printing of this report, and no general law could be found which would authorize the publication of it. It will therefore be submitted to you in manuscript.

This report presents important facts connected with the geology of the State. Among the valuable results of this Survey, we have a strong probability that the extent of the coal area of the State will be found to be much larger than at present known, while we have also the northerly and easterly limits of these fields defined. The existence of vast quantities of peat has also been demonstrated. The facts, considered in connection with the thriftiness with which all sorts of native timber grow in our soil, give a highly favorable solution to the question of a supply of fuel—that vitally important one in all prairie lands. The report contains papers on various subjects connected with the objects of the Survey, as well as some valuable contributions on other scientific matters of interest and importance to our agricultural State.

It is proper to state that this Survey is not finished. I believe it advisable to make further appropriation for its completion. Its value to the State is of a permanent character, and ought not to be marred by incompleteness. In any event, I would urge, with the Geologist, that the unfinished work in the coal field be completed.

#### INSTITUTION FOR THE EDUCATION OF THE BLIND.

The report of the Principal of the Institution for the Education of the Blind exhibits the continued successful operation of this noble beneficence. During the past two years, eighty-two pupils have been recipients of its privileges; and at the present time

there are fifty-four in attendance, of ages varying from eight to fifty-six years. In accordance with the act of the last General Assembly, the building has been materially enlarged at an expense within the appropriation for that purpose. The Trustees, after investigation, determined not to use the appropriations made at the last session for new heating apparatus and slate roof except for some necessary repairs and for obtaining estimates, as there seemed to be no prospect of securing anything satisfactory for the amount of such appropriations. For these purposes, and for other improvements, and to meet a deficiency in current expenses, appropriations are asked; as also to afford increased facilities for imparting instruction. The amount required, according to the estimate of the Trustees, for the next two years, is \$26,731.14.

The expenditures during the two years amounted to \$29,308.82 for support, and \$44,280.78 for improvements; in addition there were bills matured but unaudited, at the date of the report, amounting to \$3,216.54, making the aggregate of expenses \$76,806.14. The Institution has received from the State Treasurer the sum of \$72,376.86, from sale of produce \$153, and from products of industrial department, \$951.82, amounting in all to \$73,481.68.

The question begins to press itself on our notice, how to care for this unfortunate class after they shall have completed their educational course at this Institution. Restricted in occupation much more than those who have lost the sense of hearing, even that narrow range is gradually contracting, owing to the competition of machinery, and the multiplication of cheap labor. A continuation of these causes will eventually deprive the blind of even their present precarious means of subsistence. Those must be provided for who cannot care for themselves, and who have no friends able and willing to supply their wants. They may, it is true receive the cold attentions of the county authorities, and be domiciled in poor-houses, but to such treatment of this class of the needy there are grave objections of a humanitarian character, which will readily suggest themselves. I am therefore constrained to urge upon the General Assembly that some provision be made for the employment, at the work-shops of the Institution, under proper restrictions, of those who have completed a course at the Asylum, and who may need a shelter, with a view to establishing eventually an industrial home for the blind. I particularly ask your attention to the remarks on this subject by the Superintendent.

#### INSTITUTION OF THE DEAF AND DUMB.

The reports of the Trustees and Superintendent of the Institution of the Deaf and Dumb show satisfactory progress and condition. The appropriations for the term were more than sufficient to meet all expenditures. The number of pupils receiving instruction



during the past two years is one hundred and twelve, coming from forty-two counties, ninety being the number received the present term, and more than a dozen have been refused admission for want of room. The buildings used by the Institution have been overcrowded, the number of pupils being largely in excess of that reported during any previous term. The general health has nevertheless been good.

The leases, under which the buildings at present occupied by the Institution are held, will expire on the first day of October next, the time specified by law for the completion of the permanent building at Council Bluffs. I concur with the Superintendent in the belief that it will not be advisable to renew these leases for any time whatever, and that such steps should be taken, as may, in the opinion of the General Assembly, be necessary to hasten the completion of the new edifice. In anticipation of that event, it would be well to make provision for teaching trades to the pupils. Various occupations are open to deaf mutes, in which they attain a proficiency little, if any, inferior to that acquired by persons blessed with full use of all the senses, and at which, of course, they readily obtain a livelihood. A table published in a recent report of an Eastern institution of this kind gives a list of occupations, numbering forty-four, that have been successfully followed by male deaf-mutes; and of eight, which female mutes have pursued. Of these occupations, some thirty were distinct mechanical trades.

The total receipts from all sources for the biennial period, including \$30,150.66 from this State, and \$351.25 from the State of Nebraska, were \$34,706.58, and the total expenditures for same time, \$29,887.89, leaving a balance on hand, November 1st, 1869, of \$4,816.76.

On the tenth day of August, 1868, a contract was entered into, by the Commissioners in charge, for the erection of the proposed building at Council Bluffs for the sum of \$121,500. The total sum expended in the work up to November 1st, last, was \$77,238.72—the balance of the appropriation of \$125,000 remaining undrawn. The building is of a substantial character, and its erection is superintended by a competent architect.

The location of the edifice on the ten acres added to the grounds, as required by the acts of the last General Assembly, necessitated much heavy grading, which has been done, a part of the grounds fenced, and some shade-trees set out. The expenditures for these objects exhausted the margin of the appropriation over and above the contract price for the building, and caused a small deficiency. To meet this, to pay the Superintendent's salary, and to improve the grounds and other work, the Commissioners ask an appropriation of \$12,000, which I recommend be made.

The General Assembly, at its last session, adopted a plan for this edifice, and directed the construction of the main building and

one wing, but limited the cost to \$125,000,—much more than one-half the work to be done for much less than half the lowest estimate of the cost of the structure, according to the original plan, viz., \$300,000. It is not surprising, therefore, that the present contractor should anticipate a loss. Some changes and restrictions in the plan, combined with a serious accident to himself, increased the difficulties under which he labored. The granting of increased pay after the performance of work, when a fair contract has been made, is not in general to be commended. Its tendency is to prevent fair competition in public works, bidders being induced to calculate on a gratuity from the legislature to help them out in case of a ruinous contract. Yet, in view of the attending circumstances, of the good character of the work, and of the fact that, with the amount now asked to make up the deficiency, the building will have cost \$42,528.10 less than the next lowest bidder offered to do it for, I am induced to ask the General Assembly to appropriate \$15,000, to be placed at the disposal of the Commissioners, to be paid, in their discretion, to the contractor, if it be found in equity due him, or to be otherwise used to complete the edifice. Since the last legislative session, one of the commissioners, Dr. E. Honn, has been removed by death. I appointed Gen. Grenville M. Dodge to fill the position thus made vacant.

I would remind the General Assembly that, unlike the Trustees and Commissioners of other institutions, the Commissioners having charge of this undertaking receive no compensation whatever for their services. The distinction is the more observable from the fact that an unusually heavy bond, namely, \$100,000, is required of these officers—ten times as much as is demanded of officers who perform similar services, and receive *per diem* and expenses. I therefore suggest that these Commissioners be allowed a compensation in some manner adequate to their labor.

As is known, these institutions for the blind, and the deaf and dumb, are not for the cure or treatment of disease, but only for educational purposes; yet, in view of the want of any established charities, at which indigent persons threatened with loss of either sense may be treated, and of the injuries to which such individuals are peculiarly exposed by the maltreatment of charlatans, I would suggest, as a proper subject for legislative inquiry, whether some provision might not be judiciously made for the treatment of such needy ones, in connection with the medical department of the State University.

#### HOSPITAL FOR THE INSANE.

As in the other institutions, so in the Hospital for the Insane, the health of the inmates has been remarkably good. The number of patients, however, has largely exceeded the proper capacity of the buildings, and during the past two years, for want of room,

seventy-six applicants have been refused admission, and forty-five harmless but incurable patients have been removed or discharged from the Hospital, which contained on the first of November, last, three hundred and ninety-eight inmates. Persons needing treatment are now more promptly sent to the Hospital than formerly, and it is doubtless owing partially to this fact, that the recoveries exceed those of any previous term. One hundred and twenty acres have been added to the farm, and considerable improvements have been made in the buildings and equipments. The expenditures of the Hospital for the two years amounted to \$214,605.72, distributed as follows: \$187,724.27 for general support, \$8,500 for the purchase of lands, and \$16,371.45 for furniture, etc. To meet these expenses the Hospital received \$190,437.82, as follows: for general support, from the State treasury, \$153,500, from private patients \$29,986.46, from articles sold \$3,654.77, from balance at beginning of term, \$3,240.34, in all, \$190,381.57; for lands and improvements—from State, \$25,750. For the latter object, the amount of the appropriation was \$28,450. The estimated value of the supplies on hand is \$31,355.47.

I would invite your attention to the draft of a law concerning the insane, as recommended by the national convention of superintendents of insane hospitals, and appended to the report of this institution, and I would commend the observations of the Trustees thereon to your consideration.

#### ADDITIONAL INSTITUTION AT INDEPENDENCE.

The Commissioners for the "Additional Institution for the Insane," at Independence, having decided, after mature deliberation, on a plan for the structure, awarded the contract for the erection of the portions now to be built, the price to be paid being \$88,114. The unfavorable character of the past season has materially retarded the work, yet the Commissioners hope to finish the building now under contract within the time allowed by law. The expenditures up to the first of December last were \$35,774.90. The entire amount appropriated by the Commissioners out of the sum allowed by the General Assembly for various objects connected with their work, including contract price of building, is \$100,296.89. The Commissioners ask an appropriation for the purpose or improvements and the building of a horse railroad to the track of the Dubuque and Sioux City Railroad, which, the Superintendent estimates, will cost \$12,590.

Here, too, death has been at work, removing from the scene of his labors, Mr. Albert Clarke, the resident Commissioner. His place was filled by the appointment of Hon. Geo. W. Bemis, of Independence.

## AGRICULTURAL COLLEGE.

The report of the Agricultural College does not appear to be due till the first of February; but by visits to the College, and from correspondence with the President, I have obtained information which enables me to present you a brief statement of the condition of this institution and of its history during the last two years. I would suggest a change in the law, so as to require the report of the College to be made at the same time with the reports of the other institutions.

During the year 1868, the Trustees elected Hon. A. S. Welch to the presidency of the College. Mr. Welch had previously acquired a high reputation in connection with institutions of learning in other States, and his executive ability has been well demonstrated in his management of affairs here. The College was opened October 19th, 1868, and continued in session until January 7th, 1869. The president elect, three professors, and seventy-five pupils were in attendance. On the 17th day of March, 1869, the college building was dedicated, the officers inaugurated, and the first session regularly opened. One hundred and thirty young men and thirty young women were in attendance. The session continued with two hundred different pupils through two terms of sixteen weeks each, and closed for the winter October 28th, shortening the regular year one month, for the purpose of making additions to the heating apparatus, which was found insufficient. Two classes were formed—freshmen and preparatory. Two principal courses of study have been arranged—that of agriculture and that of mechanic arts—composed mainly of the sciences which underlie these professions. Besides these, four subordinate courses of study are proposed: a normal course, a commercial course, a course in civil engineering, and a ladies' course. The progress of the pupils has been thus far in the highest degree satisfactory. The faculty is at present composed of a president, three professors, and three instructors.

The value of the landed endowment may be estimated at \$500,000, and that of the College building and furniture, professors' dwellings, the farm with all its improvements, the stock, cash on hand, &c., at \$250,000, making in all \$750,000. The income for the past year has been \$36,000.

The college will reopen on the 9th of March next, and while there are rooms for one hundred and sixty pupils only, I am advised that two hundred and seventy-five applications for places have already been made, and, if there were sufficient accommodation, more than three hundred pupils would be in attendance next year. Additional buildings for public rooms and dormitories are therefore imperatively needed for the full development of this institution. There is, moreover, a necessity for a laboratory and a workshop, for more professor's houses, and for further facilities for

farm improvements. These enlargements and additions, without which the growth of the College will be checked, will call for an appropriation of not less than \$150,000.

The income of the College arises from lease of lands granted by Congress for the support and maintenance of a college of agriculture and the mechanic arts, all of which lands are now leased. It is ample to provide for the instruction of at least five hundred pupils, and can be legally used only for defraying the expenses of instruction and for the purchase of libraries and illustrative apparatus. By the express terms of the Congressional grant, no part of the principal or income can, upon any pretense whatever, be used for buildings or repairs of buildings. Hence the necessity of further aid from the State.

I would recommend that the Board of Trustees, both of this College and the University, be enlarged by the addition thereto, of the Lieutenant-Governor and the Superintendent, of Public Instruction.

#### SOLDIERS' ORPHANS' HOME.

First of the sisterhood of the States to recognize the justice and necessity of making suitable provision for the care and education of the children of the soldiers of the late war, our State still contributes largely of its resources in aid of this branch of philanthropic effort. Three Homes are provided, at which twelve hundred and ten of these wards of the State have at various times found shelter, care, and education; seven hundred and seventy-three being the number in attendance on the first of November last. These children have here the benefit of a common school, combined with the advantages of a home.

Improvements have been made in the property at all the points. A new building has been erected, at a cost of \$25,000, at Cedar Falls, where forty acres of land had been given to the State; another building has been erected at Glenwood, where sixteen acres of land were deeded to the State, and accommodations have been provided for one hundred and twenty-five children; and a chapel has been built at Davenport. The total expenditures the past term amounted to \$244,177.06; and the receipts were: from the State, \$241,698.54; from donations, \$2,549.25; from former balances, \$1,307.35; in all, \$245,555.14. For improvements during the next two years, an allowance of \$21,200 is asked.

The Superintendents and other officers of these Homes are, it is believed, faithful and efficient in the discharge of their duties, laboring earnestly for the good of those intrusted to their charge, and only sensible of the responsibilities of their positions. The children, too, seem to be properly cared for and comfortably kept.

In the visits I have made to these institutions during my term of office, I have become impressed with the belief that the cottage plan

of providing for these children, such as prevails at the Davenport Home, is much preferable to what I might call, in contradistinction, the "hotel plan," under which great numbers of the children are congregated together in a single house. This institution, in order to realize the highest conception of its usefulness, should approximate as closely as possible in character to that of the home of a well-ordered family. I apprehend the correctness of this position will be admitted by all. In furtherance of this view, I would suggest the following measures.

*First*—A diminution of the number of the inmates of the Home, by securing suitable homes in good families for those who in the opinion of the officers of the institution could thus properly be cared for.

*Second*—A more precise definition by statute of the proper children to be received at the Home. The design of the law, although not very clearly expressed, is yet quite evident. The Home is intended for the children of deceased soldiers of the late war. In the interpretation of the law, however, a large latitude has obtained, some being received whose fathers are yet living, although their mothers are dead; and some, both of whose parents are yet alive. This liberal construction of the law is not to be wondered at, in view of the pleading urgency with which the claims of this class of applicants are often pressed. But the State has not as yet undertaken to provide for the children of the surviving soldiers of the late war, and indeed these brave men have not desired it. A strict interpretation of the law and the curtailment of the privileges of the institution, would, it is believed, have the effect to lessen materially the number in attendance.

*Third*—A discontinuance of the Home at Glenwood at an early day, and that at Cedar Falls before the convening of the next General Assembly, and an increase of the number of cottages at Davenport, to provide not only for those coming from the other Homes, but also for diminishing the number to be accommodated at each cottage, as at present arranged. This number could, it is thought, be reduced with great advantage to the children, and at little additional expense to the State.

I would also recommend, in connection with the foregoing, that a sufficient amount of land be leased at the Davenport Home, to be cultivated by the boys, under proper direction, on which might be produced a large part of the cereals, fruit, and vegetables consumed in the institution; and I would include the erection of shops, at which various sorts of handicraft might be taught and carried on for the benefit and support of the Home. This labor, while thus relieving the State of much of the expense of maintaining the Home, would be of greater benefit to the children themselves in

training them to habits of industry and economy, and fitting them for the active duties of life.

This subject has caused me much thought, and I have felt it my duty to present these views for your consideration, in the full belief that unless some action be taken in the direction I have indicated, much of the patriotic liberality of our people will have been wasted, and possibly made productive of more injury than of good to these children of worthy sires.

#### PENITENTIARY OF THE STATE.

The extension and improvements at the Penitentiary provided for by the last General Assembly have been completed, and the building has now twice its former capacity, with cells for two hundred and sixty-six convicts; and the entire edifice is strong and well lighted and ventilated.

The hospital building, containing, in addition to the hospital, the chapel, dining-room, kitchen, and store-room, was destroyed by fire on the night of the 19th of May, 1868, involving also the loss of some \$9,000 worth of stores. There being no provision made by law for such contingencies, the Treasurer of State, at the request of the Census Board, on the 13th of June, 1868, advanced the sum of \$5,519.63 to be used in replacing the building. This amount was sufficient to inclose and prepare the new house for use, but more is needed to complete it. To meet the loss incurred by the destruction of supplies, the Census Board, in June, 1868, appropriated \$4,000 out of the general contingent fund. This being found insufficient, the Census Board, on the 23d day of March last, requested the Treasurer to advance the further sum of \$4,000, which request was complied with. For the sums advanced by the Treasurer of State, amounting to \$9,519.63, that officer holds an indemnity bond, jointly executed by the individual members of the Census Board. The indispensableness of these buildings, so constantly needed in the every-day transactions at the Penitentiary, is so apparent that it is hoped the General Assembly will approve of the action of the Census Board and make an appropriation to indemnify the Treasurer.

The number of convicts in the Penitentiary on the first of November last was two hundred and twelve, all of whom were males. During the past two years, two hundred and thirty-nine have been received, and one hundred and eighty-four discharged; one has escaped, and two have died. The discipline of the prison is good. Punishment by the lash has given place to milder but more efficacious modes of treatment. One of the objects contemplated in the punishment of malefactors being their reformation and restoration to society, everything of a debasing or brutalizing character, in the care of convicts, should if possible be avoided. Experience having now demonstrated that the punishment of the lash can be abolished

without injurious consequences to prison discipline, I recommend that the General Assembly prohibit by positive enactment the use of this degrading torture.

The Warden estimates the amount of appropriations required for the use of the prison, exclusive of the care of convicts, and including needed extension and improvements, at \$17,000.

The cell-room at the Penitentiary may be enlarged so as to accommodate three hundred and eighteen convicts. The number of prisoners on the first of November last, as we have seen, was two hundred and twelve. Two years before, it was one hundred and sixty. A proportionate increase in the future will, before many years, again exhaust the capacity of the prison. An enlargement of the buildings, owing to the peculiarities of the ground, would be extremely difficult and very expensive. Withal, the locality is such as to render it very onerous on the northern and western counties in the transportation of criminals. I therefore recommend that the General Assembly provide for the appointment of a commission to select, somewhere in the northern part of the State, a site for a new penitentiary. It should be located so as to be conveniently situated in regard to railroad facilities, near a good quarry of building stone, and where a sufficient supply of water could be readily obtained for the use of the prison. I would also recommend that the skilled labor of the Penitentiary be made available in the erection of the walls and building. It is believed that the surplus labor of the prison, which comprises all for whose employment no contract has been made, could thus be used to advantage in preparing the stone and laying the walls.

#### REFORM SCHOOL.

The last General Assembly, in obedience to an urgent demand from the people of all portions of the State, passed an act providing for the establishment of a Reform School to which juvenile convicts, and disorderly and incorrigible youth, should be sent for reformation and education. In accordance with that act, the Trustees leased the tract of land and property belonging to White's Manual Labor Institute, comprising 1,400 acres of land, situated in Lee county, partly improved, with some tenement-houses, and the Institute building with walls up and roof on. A contract was entered into for the completion of the building, and the work was carried through with such expedition, that in September, 1868, the School was ready to receive boys, the first of whom was admitted October 7, 1868. The number of boys thus far received is forty-five. The limited appropriation made at the last session would not permit the completion of buildings for the accommodation of girls, and thus far only one has been admitted. The number at present in the School is forty, viz: thirty-nine boys and one girl. The



appropriation having been exhausted in preparing the building for the reception of inmates, the Trustees, rather than have the School closed and the experiment abandoned, gave their individual notes to the amount of \$4,000, with which to raise money to carry on and support the institution till the General Assembly should make an appropriation.

In the observations of the Trustees, as to improvements on the present grounds, I heartily concur. There should be no further expenditure on buildings there, except for repairs, and I recommend that measures be adopted towards the selection of a new site for the School, centrally located, and accessible by railway, and for the erection of suitable buildings at an early day. In connection with the institution, there should be at least one section of land, which the inmates of the School might cultivate; a shop also should be provided where mechanical avocations could be followed; and thus the institution be rendered, to a great extent, self-supporting. The State has a lease of the present grounds extending till 1878, with the privilege of relinquishing at any time. I would suggest that, as so much money has been expended on the buildings there, the General Assembly take into consideration the propriety of renting the lands, retaining the buildings, and placing them under charge of ladies, for the reception of such girls as may be committed to the Reform School.

The total expenditures of the School, including improvements on the grounds and building up to the 1st of November last, amounted to \$26,865.67. To meet this, \$19,000 was drawn from the State treasury, and \$3,173.80 from rents of farm, etc. The indebtedness of the School, including amount necessary to sustain it until the General Assembly shall have made an appropriation, is \$5,789. I recommend that this appropriation be made at an early day, as the institution is seriously embarrassed for want of funds.

I regret to say that this institution thus far has not met the expectations of its friends. Perhaps the most prominent source of this disappointment lies in its isolated location. At an inconvenient distance from railroad and telegraph stations, its expenses have been unduly large, and with insecure places of confinement escapes have been frequent. Imperfect as its success may have been, however, let us not be discouraged; but let us continue our efforts to improve and perfect a system based upon principles of benevolence and charity.

The reports of the Trustees and officers of the various institutions referred to by me, will be laid before you, and will, I have no doubt, receive the attentive consideration of the General Assembly.

I would ask of the General Assembly a thorough and minute examination of the institutions under the care of the State, that their condition may be thoroughly known and their wants ascertained, and such aid extended, as in the light of the knowledge thus

obtained may be suggested by an enlightened liberality, which, while desirous of husbanding the resources of the State, is yet actuated by such a breadth of view as will maintain and elevate the character of these institutions.

#### STATE HISTORICAL SOCIETY.

The last General Assembly made a special appropriation to this society of six thousand dollars, in addition to the fixed amount of one thousand dollars; and the Society has received from other sources, including former balance, \$325.20, making its total income \$7,325.20. Its expenditures were \$5,630.40.

The Society still continues its labors in ascertaining and perpetuating the early history of Iowa, a work of increasing urgency as our pioneers gradually pass away.

#### THE CAPITOL.

The report of the Census Board, acting as Board of Commissioners, under the provisions of chapter 91, of the Acts of the last General Assembly, will be submitted to your honorable body at an early day, accompanied with the plans to which premium were awarded. In my opinion, these plans should be examined by a competent architect, with authority to consolidate them with such other meritorious plans as have been or may hereafter be submitted, in such a manner that, while a symmetrical plan is elaborated, the maximum of convenience and accommodation may be attained. A suitable building for the meetings of its legislature, for the accommodation of its executive, administrative, and judicial departments, and for the preservation of its archives, is one of the most indispensable requirements of a government. The building in which you are assembled, I submit, possesses none of these characteristics of a suitable capitol. I need not remind you of the crowded condition of the halls in which you meet, of the almost total absence of committee-rooms, of the cramped apartments for the various State offices, nor of the want of security against fire. Besides, the edifice, in point of architectural appearance, is utterly unworthy of our vigorous and aspiring commonwealth. It is believed that no State in the Union, either East or West, has a capitol building so incommodious and so cheap in appearance as has Iowa; and, indeed, many of the territories, and some counties even in our own State, have better buildings in which to transact their official business. I therefore recommend that steps be taken for the commencement of the erection of a new State-House: an edifice, which, in magnitude of proportions, symmetry of design, and convenience of arrangement, shall be worthy of our State. An appropriation of \$150,000 is probably all that be economically expended in 1870. The amount necessary for the second year would be a subject for your consideration and determination.

## EXTRAORDINARY CONTINGENCIES.

In view of the liability of the public buildings of the State to calamities like the one that occurred at the Penitentiary, heretofore mentioned, and in order to avoid embarrassment similar to that which followed the fire at Fort Madison, I recommend that provision be made by law to meet such emergencies. Twice within a few years fire has destroyed buildings at the Penitentiary, and each time the executive have been compelled to resort to temporary measures of absolute necessity, but, in the opinion of the department itself, of questionable legality. To call the General Assembly together and ask for an appropriation, would be a strictly legal method of procedure; so would a reference of the whole matter to the General Assembly at its next session, to the neglect and peril of the best interests of the State. The expensiveness of the former expedient, and the delay in the latter, render both impolitic. Nevertheless, the financial officers of the State, of course, do not feel warranted in drawing money from its treasury in violation of the law, even when, by so doing, they are satisfied they would be conserving the public interest. A permanent law, properly guarded, to provide for extraordinary contingencies, I consider a necessity of our financial policy.

## COUNTIES AND CITIES.

The creation, last session, of the office of County Auditor accomplished a long desired object in relieving the clerk of the courts from all duties as a financial officer of the county, and has received, so far as my knowledge extends, universal approbation. To complete the change thus inaugurated, it remains now to supplement this law with an act placing the control of the courthouse, and the supervision of the census, (if indeed the present ineffective mode of taking the census is to be perpetuated,) in the hands of the county auditor. That officer should also be required to furnish the Secretary of State with the names of all county officers, immediately on their qualification, a duty heretofore required of the county judge. He should also be empowered to appoint a deputy, the same as other county officers. Perhaps some other matters might properly be intrusted to his charge, but your experience will suggest to you such further legislation as may be necessary.

I call your attention to the law of 1853, providing for the organization of new counties, which law should, I think, be materially modified. Under its provisions counties were organized ten years ago, that have less than a hundred inhabitants to-day. To give into the hands of the first few who may wander into a new country the power of levying and collecting taxes, issuing county warrants, fabricating bonds, and disposing of swamp and even school lands,

is of more than questionable wisdom. It has an inevitable tendency to attract to these counties unprincipled adventurers by prospects of plunder, and thereby deter legitimate immigration. I am informed that attempts have been made to organize Lyon county, but that they have been defeated by the protests of the settlers in that county. I would suggest that provision be made by law against the organization of any of the new counties until they shall have attained a certain minimum of population; and that the proceedings towards such organization be had in the district court after due notice of the same. On the other hand, it may be necessary to enact proper laws for assessing the property in these counties, and for the collection of taxes levied therein.

I have made an effort, through a circular issued from this office, to obtain a statement of the indebtedness of the several political corporations of the State, in order to lay the aggregate amount before the General Assembly. In this effort I have been only partially successful. Some of the counties, and a few of the cities and towns, have failed to notice the circular asking for the information. Nevertheless, the returns I have received are such as to enable us to obtain a measurably satisfactory view of this class of public obligations. Seventy-eight counties, all that have been heard from, report a bonded indebtedness, not disputed, including arrears of interest, amounting to \$942,672.53; a bonded indebtedness, in dispute, including interest, of \$1,646,180; and a floating debt of \$752,763.47: in all \$3,341,616. Seventy-five cities and towns report a bonded debt, undisputed, of \$1,768,308.95; a bonded debt, in dispute, of \$696,966.86; and a floating debt of \$125,135.42: in all, \$2,590,411.03. The aggregate of both is \$5,932,027.03.

During the last few months I have received information that pretended bonds of the unorganized county of Lyon have been repeatedly offered for sale in the city of New York. I have also heard indirectly of other similar cases of fraud. I suggest to the General Assembly the propriety of clothing the Governor with authority to employ counsel to aid in bringing to justice the parties engaged, outside of the State, in this and similar crimes, which are not only of injury to the victims of the fraud, but highly detrimental to the financial reputation of county and State.

#### REGISTRY LAW.

The law for the registration of voters having now been operative at two general elections, an opinion may be the better formed of its utility. You, gentlemen, just chosen by the people under that law, are fully aware of its benefits and defects. In my judgment, it might be amended with advantage by providing that the assessor's return of voters should be the basis of the registry list,

and that the poll-books of the preceding year be not used for that purpose.

#### IMMIGRATION.

Without any bureau of immigration, or any provision whatever for diffusing information relative to the climate, soil, agricultural and mineral resources, and extent of unoccupied lands in our State, we receive, nevertheless, a large part of the very best of the immigration that is crowding from our Eastern States and from the old world to seek homes in the growing West. In reply to a request from the Citizens' Association of New York, I addressed, on the 23d of November, 1868, a letter to that association through its president, Mr. Peter Cooper, presenting an amount of statistical and other information such as I thought would be of value to persons contemplating a change of home. This letter, I had the satisfaction to learn subsequently, was reprinted and scattered widely over the Eastern States and foreign countries of kindred tongue, while translations were freely distributed in the countries of continental Europe. In addition, I caused a large number of copies of the letter to be printed and sent to various parts of the country. I have gratifying assurances that this effort has been and will be attended with the happiest results. Nevertheless, with the limited means placed at the disposal of the executive, not a great deal can be done toward inducing immigration hitherward. Many of our neighboring States have systematized plans of operation for the purpose of attracting immigration, and their efforts appear to be successful. I am not prepared, however, to recommend any elaborate organization in this respect. An appropriation of \$5,000 could be judiciously expended in printing documents relating to our lands, and the population, resources, and products of the State, and in the circulation of the same. I submit, however, the subject to your careful consideration. Some of our railroad corporations, and wealthy individuals connected therewith, have informed me that they are perfecting a plan for the sale of their lands, and aiding emigrants to settle upon our unoccupied acres of unsurpassed fertility.

#### RAILROADS.

Within the last few years, all our railroad enterprises have become imbued with new vigor, and have pushed their lines forward with rapidity, until now three trunk lines of railroad cross the State from the Mississippi to the Missouri.

The Cedar Rapids and Missouri River Railroad was completed to Council Bluffs in 1869, prior to the last meeting of the General Assembly, and was, therefore, the first to cross the State.

The Chicago, Rock Island, and Pacific Railroad Company, to

which was transferred at the last session of the legislature the grant originally made to the Mississippi and Missouri Railroad Company, at once put on the line of the road an immense force, and carried the work forward with such expedition that on the sixth day of June, 1869, in a little over one half the time allowed the company, the railroad was completed and running into the city of Council Bluffs, and on the 31st of December I issued a certificate of the completion of the road.

The Burlington and Missouri River Railroad Company, the only one of the original grantees now in existence, has exhibited similar activity. On the 6th day of February, 1868, I issued a certificate, announcing the completion of ninety-five miles of this road, as follows: a section of thirteen miles from Batavia, in Jefferson county, to Ottumwa, in Wapello county, completed on the fifteenth of August, 1859; one of twenty-six miles to Albia, in Monroe county, on the first of November, 1866; one of twenty-one miles to a point in Lucas county, about nine miles east of Chariton, on the fifteenth of April, 1867; one of nine miles to Chariton, on the first of July, 1867; one of sixteen miles to Woodburn Station, in Clarke county, on the twenty-third of December, 1867; and one of ten miles to Osceola, on the 29th of January, 1868. Since that time work has continued until a short time since, when the road was completed through to the Missouri river.

The last General Assembly resumed the grant held by the Dubuque and Sioux City Railroad Company, and subsequently regranted it to the Iowa Falls and Sioux City Railroad Company, (except forty thousand acres reserved for the building of a road from Dubuque to Bellevue and Sabula,) on certain conditions as to line of road, progress and completion of the work, and subjection to such rules, regulations, and rates of tariff as might be enacted by the General Assembly. The grant was not accepted within the period prescribed by the act, (thirty days,) and nothing was done toward the prosecution of the work during the remainder of that year. Early in the year 1869, the company made application to the Census Board for a renewal of the grant. That Board, after full examination of the papers accompanying such application, and finding that the company gave satisfactory assurances of a determination to comply with the requirements of the act, resolved to confer the grant on such company, in accordance with the provisions of section 7, chapter 124, Acts of Twelfth General Assembly. As a result of this action, the road was finished to Fort Dodge in July last, and is now in running order, both westward from that town and eastward from Sioux City, lacking only about fifty miles of full completion; and we have assurances that before next July this gap will be filled, and another railroad completed between the Mississippi and Missouri rivers.

At the last session of the General Assembly, the State resumed the grant made to the McGregor Western Railway Company, to

aid in building a railroad on or near the forty-third parallel, from McGregor to the west line of O'Brien county, and re-granted it to the McGregor and Sioux City Railway Company, on conditions similar in character to those imposed on the Iowa Falls and Sioux City Railroad Company with the additional stipulation that such company shall obtain from the McGregor Western Railway Company a complete release of all its claims to any of the lands originally granted to the latter. Sixty days' time was allowed for the acceptance of this proposition. Before the expiration of that period, an instrument, purporting to be an acceptance of the grant and its terms, was filed in the office of the Secretary of State. Vigorous work was at once commenced on the construction of the road, and within the time limited it was finished to Chickasaw; and now the cars are running to Clear Lake, Cerro Gordo county, anticipating by almost two years the requirements of the law. Furthermore, I am advised that the road is under contract as far as Algona, in Kossuth county, and will be built to that point by July 1, 1870; and I have assurances that the road will be finished during the present year. It is hoped that when this company shall have completed its road, it will find it to its interest to extend its line across the Big Sioux to the Missouri river.

In accordance with the requirements of chapter 57, acts of last session, resuming the lands granted by act of Congress to the State for the construction of a railroad up and along the valley of the Des Moines River, the Des Moines Valley Railroad Company deposited with the Treasurer of State the sum necessary to settle certain claims arising out of the Des Moines river improvement. Consequently, in compliance with law, I have patented to the company 362,997.68 acres of the lands granted for this improvement.

The extension of the line of this road has been urged forward with vigor, and it is now in running order to a point some twenty-five miles north of the Cedar Rapids and Missouri road, and about seventy-five from the terminus of the road at the time of the session of the last General Assembly. The act of that session required only the grading of sixty-five miles; the company have as we have seen, not merely graded, but built this amount of road and ten miles more. The company, however, has failed to file an acceptance of the act above mentioned, as required by section three thereof.

The Council Bluffs and St. Joseph, and the Sioux City and Pacific railroads have also been completed within the past two years. The Burlington, Cedar Rapids & Minnesota railroad has been built from the first named city to a point within a short distance of the Oskaloosa branch of the Chicago, Rock Island and Pacific railroad; and has also been built from Cedar Rapids to Vinton. The McGregor Western Railway Company has built a branch to Decorah; the Cedar Falls and Minnesota road has been completed to the State line, there connecting with lines of road running

to St. Paul; the Iowa Central has been completed from Eldora to Marshalltown; the North Missouri road has been built into the State in Appanoose county; the St. Louis and Cedar Rapids is progressing in the direction of Ottumwa; and the Chicago, Burlington and Quincy Company has built a road from Burlington to Fort Madison, making connection there by rail with Keokuk. Besides, a railroad has just been completed to Burlington from Carthage, Illinois. Numerous projected lines attract much attention, and a few have made some degree of progress.

The completion of the Pacific Railroad has undoubtedly hastened this rapid development of our railroad enterprises. That event, justly esteemed one of the most memorable of the age, worthy to be ranked with the laying of the Atlantic cables, and the construction of the Suez Canal just finished, would, it was thought, contribute largely toward changing the commerce of the orient and directing it eastward across the American continent; while the opening up of the States and territories to the westward would also contribute to the traffic to follow this channel. A determination to compete for this trade has sensibly accelerated railroad progress in Iowa the past year; and this has not been confined to east and west lines, but those running or projected in northerly and southerly directions have felt more or less of its influence. Hence the last two years have witnessed the construction of more miles of railroad in Iowa, than any two previous years of our State's history. During that time there have been 866 miles of railroad built, making an aggregate of about 2,094 now in operation in the State.

The last General Assembly reserved to the State the right to enact laws regulating rates of tariff on the roads on which it bestowed land grants. It was thought best, at the time, to take advantage of the opportunity offered to place beyond cavil the authority of the General Assembly in this matter. The owners of these roads are possessed of the power of taking private property for the uses of their projects. The roads, also, are endowed with enormous land grants, amounting, with those of the other roads, as has been seen, to between four and five millions of acres, or about one-eighth of the entire area of the State. Recipients of such bounties, they have no right to complain if the State reserves to itself the ultimate power to prevent extortion, should such ever be resorted to.

The entire question of regulating, by legislation, the tariff of rates on railroads, has been widely discussed, and is one of great importance. Of the benefit to be derived from such an attempt at regulation, there is, in my judgment, grave question. In order, however, that the subject might be considered with the light which statistics would throw on it, I have endeavored to collect such statistics from the various railroad companies, and have obtained



from ten of them answers to my inquiries more or less complete. From these reports I learn that on these lines the sum of \$52,476,481.29 represents the cost of construction of 1360 miles of road, or \$38,585.86 per mile. Eight of these roads report their gross earnings at \$6,776,480.13; and their operating expenses including taxes, \$5,262,383.59; leaving a net income of \$1,817,179.72, or 4.16 per cent. on reported cost of construction, and 5.69 per cent. estimating cost at \$30,000 per mile.

But whatever views may be entertained in relation to the expediency of enacting rates of tariff for railroads, there can be none, I think, as to the policy of endeavoring to defeat any demands of these incorporations for exorbitant rates by encouraging and inviting capital to build competing lines to cross our great thoroughfares in northerly and southerly directions, and in opening up our communications by water with the markets of the world, by the routes of the Mississippi, Missouri, Illinois, Rock, and Wisconsin and Fox rivers.

#### WATER COMMUNICATION.

The improvements in the Mississippi river are being pushed forward as rapidly as the means allowed by Congress will permit. Recently the sum of two hundred thousand dollars was voted with which to continue the work on the lower, or Des Moines River Rapids. These are both of vast importance to the eastern counties particularly, and measurably to all the State, in affording unimpeded water communication eight months in the year to the Gulf of Mexico.

#### WISCONSIN AND FOX RIVER IMPROVEMENT.

I have given this subject, during the past five years much thought and some personal examination. It is receiving consideration in many parts of the country, and especially in the northwestern States. Cheap transportation is the one question which is vital to these States, and to none more so than to Iowa. It is of little consequence whether her products be moved by rail or water, but of the greatest consequence that they be moved at rates whereby the market price will give back the cost of production and a living profit to the farmer. If railways can carry heavy freights as cheaply as water-ways, it is certain that they will not unless compelled thereto by water competition. The improvement of water channels will reduce the charges on every ton of heavy freight, whether moved by water or by rail. Our State has raised during the past year, nearly fifteen millions of bushels of wheat for export. With the freight charges on this quantity reduced, in the cost of transshipment and movement only ten cents a bushel, the total saving will amount to \$1,500,000. But Iowa exports large quantities of

other grains and other products, and imports great amounts of lumber, merchandise, etc., so that this large sum would not be one half the yearly saving to Iowa alone. The States of Wisconsin, Illinois, and Minnesota, and those lying further west, will be benefited, but perhaps in a less degree. With wheat selling in the State of Iowa at an average price of fifty cents per bushel, and on Lake Michigan at seventy cents per bushel, our representatives in Congress should not long hesitate in assuming for their constituents their part of the necessary debt in order to open an ample waterway between the Mississippi and the lakes. The full results no one can foresee. It would unite the commerce of the lakes, with its two thousand vessels, to the commerce of the Mississippi and its tributaries, with their more than two thousand vessels; and the commerce so united, measured by tons or by values, would be greater than the existing foreign commerce of the country. The highest estimated cost of this improvement, made by Gen. G. K. Warren, government engineer, is about four millions of dollars.

I deem this question so vitally important to the agricultural interests of our State, that I may (if time will permit) submit at length my views upon the subject.

#### MANUFACTURES.

Another mode of avoiding high rates of transportation, and thus increasing the wealth of the State, is the building up among ourselves of all kinds of manufactures. The outlay for farm machinery and manufactured articles necessary to our people, brought from abroad, amounts to millions of dollars annually. This large importation is in direct violation of the most obvious principles of domestic economy. We are compelled to transport bread to Eastern producers that they may live while working up our raw material, thus needlessly sending our products thousands of miles in order to obtain the manufactured article.

Either cheap fuel or ample water power is found in nearly every part of the State; and iron abounds in both Missouri and the region of Lake Superior. Iowa will not see the great era of her prosperity until she becomes self-supporting, not only by raising a bounteous supply of breadstuffs, but by erecting manufactories upon her streams and coal-fields to consume the immense surplus of her rich soil, and thus diversify industry, build up towns, add to the value of our lands, lessen the cost of exchanges, and bring the producer and consumer nearer together.

I submit for your consideration the propriety of a law exempting from taxation for a term of years at least a portion of the investment in certain classes of manufactures.

## AGRICULTURE.

The last General Assembly passed a law for encouraging the growth of forest and fruit trees, and hedges. The wisdom of this action requires no justification. I recommend that you follow it up by making provision for obtaining and distributing pure forest tree seed. It could be done through the office of the Secretary of the State Agricultural Society, or some other existing channel. Many of our farmers are located or situated so as to render it difficult for them to obtain trees for nurseries, and are thus deterred from making improvements in this direction. The provision proposed would exactly meet the wants of this class, and be of benefit to all.

During the year 1868, the alarming prevalence of the disease known as the Spanish or Texan fever among the cattle driven to market in States to the eastward of us, induced the cattle commissioners of the State of New York to issue a call for a convention to consider the subject. To this convention, which met at Springfield, Illinois, December 1, 2, and 3, 1868, I appointed Prof. Norton S. Townshend, of the Agricultural College, a commissioner on the part of this State. At this convention, an outline of a bill to be recommended to the several States was agreed upon. The report of the commissioner will be laid before you.

## TAXATION AND REVENUE.

The aggregate valuation of the State in 1869 was \$294,532,252; an increase since 1867 of \$38,015,068, or 14.82 per cent. It is unnecessary that I should remind you that this sum, without doubt, represents less than one half the actual value of all the property in the State. Some remedy for this practice of undervaluation is desirable. I would suggest, as a step in that direction, that the State and county boards of equalization be empowered to adjust valuations, as well as to equalize them.

I especially commend to your attention the observations and suggestions of the Auditor of State in reference to double assessments, and the present cumbersome mode of keeping tax-books. The recommendation of that officer suggests a plan which seems to afford a remedy for an evil of great magnitude.

Among the prominent topics for consideration, at the present session, will be that of the proper mode of taxing the property of railroads. The law now in operation on this subject was originally enacted, doubtless, with the two-fold object of obtaining a simpler basis for taxation, and of encouraging the then struggling railroad enterprises. I submit to the judgment of the General Assembly whether some modification of the law might not now be made, with the view of obtaining from these roads a more nearly equitable proportion of the public burdens, and yet so adjusted as not to cripple

ple any of these enterprises. I respectfully invite your attention to the observations and recommendations of the Treasurer of State on this subject.

#### SWAMP LANDS.

I recommend that the most stringent provisions be made by law in regard to the disposal of the swamp lands of the several counties. The sales of these lands should be widely advertised beforehand, not only in the particular locality of the lands, but also in some of the leading cities of the State, that full opportunity may be given to all desiring to become purchasers, and that the lands may yield the largest income obtainable. I fear that a different policy in the past has lost to the counties multiplied thousands of dollars, and that the grant, from this cause, has failed, to a great degree, to be of any benefit to either State or county.

#### SCHOOL-FUND AND SCHOOL-LANDS.

The permanent school-fund, according to the books of the Auditor of State, amounts to \$2,932,626.04, having been increased during the last two years, by sales and re-sales of school-land, \$441,212.57. The interest, apportioned during the same time, amounted to \$406,007. 14. The State is required to keep good the principal of this fund, and in case of loss, to make it up from the State treasury. This requirement is an act of justice to the general government, the donor of the lands, from the proceeds of the sales of which this fund is derived, and to the youth of the State, for whose education the gift was made. Fully to comply with such requirement, without loss to the State, demands that the fund be placed under the supervision of officers of the State, who are directly responsible to the State, and of whom an account of the condition of the fund may be ascertained whenever demanded. At present there is a large deficiency in the permanent school-fund, which deficiency will not become any smaller except at the expense of the State treasury. I am satisfied that no business man among the members of the General Assembly would allow his own affairs to be conducted in the manner in which this fund has been managed.

I am constrained, therefore, to renew the suggestion I made in a special message at the last session, and also the recommendations of my last four predecessors, that this fund be called into the State treasury. I believe it could with profit be invested in registered bonds of the United States, or those of this State, or in public improvements. I would commend to your consideration the very judicious remarks on this subject in the reports of the financial officers of the State.

During the last fiscal term of two years, 72,990 acres of school-lands were patented. According to an estimate carefully made by

the Register of the State Land Office, the average price obtained for these lands was about \$2.31 per acre. How much land was sold during the same term, or the price obtained per acre, I am unable to state, the law of 1864 requiring reports of such sales to be made semi-annually to the Register, receiving almost no attention from the proper county officers. Among the lands patented, however, were some situated in old and well settled counties, that were sold for one dollar and a quarter per acre in cash.

During the last two years the Census Board, having in charge the lands obtained from the sureties of James D. Eads, former Superintendent of Public Instruction, has sold thirteen hundred and forty-eight acres of the same, situated in the counties of Clarke, Decatur, Marshall, Story, and Warren, at the average rate of nine dollars and twenty cents per acre.

During the year 1868, the State of Minnesota sold seventy-six thousand acres of school-lands at an average price of a little over six dollars per acre. Both Minnesota and Nebraska have fixed the minimum price of their school-lands at five dollars per acre, the latter by constitutional provision. Iowa, whose lands, because of their greater accessibility, and their average better quality, ought to be worth much more than those of the States mentioned, fixes her minimum at one dollar and a quarter per acre.

A short time since, hearing that some of the school-lands were being hurried into market, as I deemed with unseemly haste, and at an improper season, I caused the Attorney-General to take the necessary steps to stop the sale. That officer at once applied for and obtained injunctions, and had the satisfaction of saving all the lands in one or two counties, and nearly all of those in another county.

To permit the munificence of the federal government to be longer frittered away; to continue to allow the interests of the living and the unborn children of Iowa to be trifled with; thus to fail to discharge the duty which the Constitution imposes on the State, as custodian of this sacred fund, would, in my judgment, be a just cause of reproach to all of us.

I recommend the immediate withdrawal of all the unsold school-lands from market for the present; and that when they are again offered for sale it be done by the Register of the State Land Office, at public sale, at the minimum price of six dollars per acre, and to be disposed of only to actual settlers.

#### THE COURTS.

The Circuit Court system established at the last session of the General Assembly, is of too recent origin to have afforded sufficient opportunity to decide on its utility and advantage; and it would seem advisable to permit it to remain without material change, at least until the next General Assembly, which body will be enabled

to pass upon its merits and defects with the benefit of a more extended experience of its operations.

Before the convening of the next General Assembly, the terms of all save one of the District Judges will have expired. I call your attention to the opportunity which will thus be afforded to increase the compensation of these officers. No worse economy can, in my estimation, be practiced than the payment of insufficient salaries to judicial officers. For the performance of the duties incumbent on them, a high order of legal culture, a suitable practical experience at the bar, and a ripe judgment are required. We have no right to expect that persons thus qualified will retain or take seats on the bench at salaries smaller than the incomes of many practising attorneys far inferior to them in ability and acquirements. I must earnestly recommend that you will revise the whole matter of the compensation of judges of all our courts, and so adjust it as, in your judgment, to enable the State to retain and command the services of the best men in her tribunals of justice. And, in connection with this subject, I cannot forbear to remind you of the meagerness of the compensation of our District Attorneys. By the law of 1862, which effected a general reduction of salaries, those of District Attorneys were fixed at \$600. Since that time nearly all the salaries then reduced have been increased; this office has been one of the exceptions.

#### THE CRIMINAL CODE.

I invite your attention to an examination of the Criminal Code of the State. I am led to this suggestion by the fact of our current history, that, although less frequently occurring perhaps than in former years, the summary process known as "lynching" is yet too often resorted to for the purpose of rudely effectuating what are supposed to be the ends of justice. I am of the opinion that riotous proceedings of this character are usually prompted by despair of justice being done through the ordinary operation of the law. That this feeling is ill-founded is very probable. Nevertheless, its existence should arrest the attention of the legislature, and lead to the inquiry whether there is any just cause for complaint at the laxity of our laws for the punishment of crime, and whether the criminal code itself, in a laudable anxiety to shield the innocent, has not been made to afford a convenient panoply to wealthy and crafty guilt.

#### MODIFICATION OF THE LAWS.

I respectfully call your attention to the condition of our laws. They are spread on our statute-books for several years, reaching as far back as 1851, and some of them even referring to antecedent enactments. Every man is supposed to "know the law," and ignor-

ance of it excuses no man. Should it not, then, be the aim of the legislature so to simplify the statute-book, and condense its bulk, that the law may be more easily ascertained by the citizen? I would recommend that provision be made for the selection of commissioners to revise and codify the laws of the State; these commissioners to be required to report progress to some authority at intervals, and to complete the work in time for the next General Assembly.

#### CONSTITUTIONAL CONVENTION.

The constitution, wisely providing that the sense of the people should be occasionally ascertained as to the necessity for revising or amending that instrument, requires that at the general election of the present year the question "Shall there be a convention to revise the constitution, and amend the same?" shall be submitted to the popular vote. It will be incumbent on the General Assembly to provide for canvassing such vote, and ascertaining the result.

#### CONSTITUTIONAL AMENDMENT.

As provided by law of the last session of the General Assembly, the question was submitted to the people, of amending the Constitution of the State in section one of article two, sections thirty-three, thirty-four, and thirty-five of article three, and section one of article six, by striking the word "white" therefrom. These amendments aimed to relieve the colored race from certain disabilities under which they had hitherto labored in this State. At the election, which occurred on the third day of November, 1868, there were cast, for the amendment to Article two (that in relation to the right of suffrage) one hundred and five thousand three hundred and eighty-four votes; against the amendment, eighty-one thousand one hundred and nineteen; majority in favor of the amendment, twenty-four thousand two hundred and sixty-five. The other four amendments were adopted by majorities slightly larger. Thus was finally accomplished an act of justice already too long delayed, the denial of which, on a former occasion, had cast a stigma on a State which may truthfully boast that the foot of a slave has never pressed her soil.

#### AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

It is proposed now to incorporate the spirit and substance of this amendment in the federal constitution, and thus make it the supreme law of the whole land. The Senate and House of Representatives of the United States have accordingly adopted a joint resolution proposing an amendment to that Constitution, in effect, conferring suffrage on every male citizen. A copy of this resolution I have

the honor to lay before you. I need not urge upon your honorable body its speedy ratification. This amendment yet requires the approval of some six States, in order to its adoption. That this number will be shortly obtained there is little question. The contest of generations, which culminated in the recent civil war, begun in the interest of slavery, will then have reached a termination glorious beyond the most sanguine hope, in the final eradication of the last vestige of human bondage from the polity of the republic.

UNITED STATES SENATOR.

On the 27th day of August last, I received the resignation of Hon. James W. Grimes, as Senator of the United States from the State of Iowa, to take effect on the first Monday in December; on which day accordingly closed the long public services of an eminent statesman, whose ability and influence gave him not only a State but a national reputation. It will, therefore, become your duty to elect a Senator to fill the place thus made vacant.

CONCLUSION.

In conclusion, gentlemen, permit me to congratulate you upon the auspicious circumstances under which you are now assembled. With the State virtually out of debt, its population rapidly increasing, its wealth of resources yielding abundant returns to all kinds of industry, its laws in general judicious and faithfully administered, its schools and colleges furnishing means of education to all, its public institutions well established and conferring blessings on the objects of their care, its empire of territory traversed by rapidly increasing lines of railroad, its people peaceful and progressive, yourselves enjoying the generous and abounding confidence of that people, you enter upon your work of legislation. That this work may be abundantly blessed of Him who has heretofore been so bounteous in goodness toward our State and nation, I invoke the prayers of the good people of this commonwealth.

It will be my pleasure, as it is my duty, to co-operate with you in all measures to promote the public welfare, to increase the happiness of the people, and to enable them to continue and enlarge those works of humanity, charity, and benevolence which have thus far distinguished our State.

I would do injustice to my own feelings were I to close this message without expressing my gratitude to our State officers, and all connected with the State government, for the ability, integrity and zeal they have displayed in behalf of the public interests, and for the kindness, courtesy, and generous confidence they have given me in the discharge of my official duties.

Mr. Bundy moved that the House do now adjourn, which motion prevailed and the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 12, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Simon Doran.

Mr. Rogers moved that the reading of the journal be dispensed with.

The motion did not prevail.

Journal of yesterday read and approved.

The Speaker announced the appointments of the following messengers, paper-folder and janitor.

MESSENGERS.

Arthur Courtney, Polk county.

Frank C. Swan, Polk county.

Arthur A. Wright, Polk county.

Charles C. Blodgett, Polk county.

Walter C. Mathews, Crawford county.

PAPER-FOLDERS.

Joseph Ivers, Polk county.

G. C. Plummer, Polk county.

W. H. Penn, Polk county.

JANITOR.

George Bailey, Dallas county.

Mr. Cutts moved the appointment of a committee of conference on post-master and assistant post-master, to consist of three members, which motion prevailed.

The chair appointed Messrs. Cutts, Mahin and Pratt.

By leave, Mr. Stone offered the following resolution, which was lost:

*Resolved*, That the select committee on the contested election case from Johnson county, be, and they are hereby instructed to report to this House by to-morrow morning at ten o'clock, and that they have leave to sit, if necessary, during the session of the House.

Mr. Brown, of Van Buren, moved that a committee of three be appointed to inform the Senate that the House was now ready to go into joint convention for the canvass of the votes for Governor

and Lieutenant-Governor. The motion prevailed, and the Speaker appointed Messrs. Brown of Van Buren, Huff, and Arnold, as such committee.

On motion of Mr. Morrison, the House took a recess of five minutes; at the expiration of which time, the House was called to order by the Speaker.

The Sergeant-at-Arms announced the Senate, who entered the hall, and took the seats assigned them.

Senator Bennett, President, *pro tem* of the Senate, called the joint convention to order, and announced that the convention had met to canvass the votes for Governor and Lieutenant-Governor of the State of Iowa and to declare the result, and that Messrs. Beardsley and Chapin had been appointed tellers on the part of the Senate.

The Speaker announced that Messrs. Green and O'Donnell were appointed tellers on the part of the House.

The Speaker proceeded to announce the votes of the several counties of the State.

On motion of Mr. Irish the joint convention took a recess until 2 o'clock P. M.

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TWO O'CLOCK P. M.

Joint convention re-assembled in the hall of the House, when the canvass was concluded with the following result:

FOR GOVERNOR.

Whole number of votes cast.....	154,507
Of which Samuel Merrill received.....	97,243
Of which Geo. Gillaspie received.....	57,257
Scattering.....	7

FOR LIEUTENANT-GOVERNOR.

Whole number of votes cast.....	154,270
Of which Madison M. Walden received.....	96,736
Of which A. P. Richardson received.....	56,878
Scattering .....	656

## ABSTRACT

*Of Votes cast in the several Counties of the State of Iowa for Governor and Lieutenant-Governor of said State, at the General Election held on the 12th day of October, A. D. 1869.*

	GOVERNOR.						LIEUT.-GOVERNOR.							
COUNTIES.	Samuel Merrill.	Dan. Rubley.	George G. Wright.	D. D. Chase.	John Higgs.	Gillaspie.	Gov. Merrill.	George Gillaspie.	Madison M. Walden	A. P. Richardson.	P. R. Richardson.	P. B. Richardson.	W. E. Connor.	A. P. Richards.
Adair .....	473							219	473	219				
Adams .....	522							205	524	205				
Allamakee .....	1,485	1						1,435	1,473	1,441				
Appanoose .....	1,374							1,084	1,363	1,087				
Audubon .....	114							118	114	118				
Benton .....	1,791							804	1,792	806				
Black Hawk .....	1,514							208	1,516	207				
Boone .....	1,138							730	1,137	743				
Bremer .....	970							325	971	324				
Buchanan .....	1,275							520	1,281	519				
Buena Vista .....	165							31	168	31				
Butler .....	687							246	688	246				
Calhoun .....	104							64	104	64				
Carroll .....	247							113	247	114				
Cass .....	564							336	562	338				
Cedar .....	1,513							702	1,513	702				
Cerro Gordo .....	496							108	494	109				
Cherokee .....	181							330	186	22				
Chickasaw .....	887							387	858	414				
Clarke .....	942							333	943	333				
Clay .....	111							5	111	5				
Clayton .....	1,890							1,379	1,815	1,448				
Clinton .....	3,733							2,489	3,370	2,487				
Crawford .....	224							146	224	146				
Dallas .....	1,031							376	1,030	377				
Davis .....	1,320							1,193	1,319	1,196				
Decatur .....	1,031							986	1,041	987				
Delaware .....	1,817							953	1,817	953				
Des Moines .....	2,012							1,508	2,012	1,511				
Dickinson .....	144							9	144	9				
Dubuque .....	1,927							3,267	1,922	3,269				
Emmet .....	165							15	165	14				
Fayette .....	1,306							678	1,333	685				
Floyd .....	908							272	908	272				
Franklin .....	626							83	627	81				
Fremont .....	867							907	867	907				
Greene .....	473	1						218	471	220				
Grundy .....	357							26	358	26				
Guthrie .....	610							397	611	399				
Hamilton .....	659		1					109	660	109				
Hancock .....	136							35	136	34				
Hardin .....	1,132							337	1,134	336				
Harrison .....	845							702	845	703				
Henry .....	1,984							649	1,986	649				
Howard .....	534							304	530	310				
Humboldt .....	335							111	334	112				
Ida .....	42							1	42	1				

## ABSTRACT OF VOTES—CONTINUED.

	GOVERNOR.							LIEUT.-GOVERNOR.						
COUNTIES.	Samuel Merrill.	Dan. Rubley.	George G. Wright.	D. D. Chase.	John Higgs.	Gillaspie.	Gov. Merrill.	George Gillaspie.	Madison M. Walden	A. P. Richardson.	P. R. Richardson.	P. B. Richardson.	W. E. Connor.	A. P. Richards.
Iowa.....	1,248							870	1,248	785	84			
Jackson.....	1,569							1,681	1,570	1,682				
Jasper.....	2,163							716	2,163	716				
Jefferson.....	1,563							1,058	1,562	1,057				
Johnson.....	1,853							1,794	1,854	1,798				
Jones.....	1,625							726	1,619	725				
Keokuk.....	1,566							1,208	1,563	1,212				
Kossuth.....	352							1	352	1				
Lee.....	2,603							2,860	2,646	2,846				
Linn.....	2,442							1,065	2,444	1,064				
Louisia.....	1,281				1			687	1,278	694				
Lucas.....	905							598	906	598				
Lyon.....														
Madison.....	1,366							786	1,366	785				
Mahaaka.....	1,949							908	1,949	967				
Marion.....	2,115							1,980	2,119	1,993				
Marshall.....	1,656							466	1,661	479				
Mills.....	686							440	687	439				
Mitchell.....	1,184							206	1,118	222				
Monona.....	364							153	364	153				
Monroe.....	1,076							706	1,076	705				
Montgomery.....	395							291	395	293				
Muscatine.....	1,566							496	1,567	493		2		
O'Brien.....	59							2	57					
Osceola.....														
Page.....	721							332	721	332				
Palo Alto.....	50							64	50	64				
Plymouth.....	96								96					
Pocahontas.....	109							28	109	28				
Polk.....	2,325							972	2,256	1,029				
Pottawattamie.....	1,184							1,007	1,184	1,008				
Poweshiek.....	1,293							610	1,292	601				
Ringgold.....	505							222	504	221				
Sac.....	185							51	185	51				
Scott.....	2,418							1,402	2,421	1,402				
Shelby.....	166							90	166	90				
Sioux.....	16							7	16	7				
Story.....	992							374	992	374				
Tama.....	1,205							415	1,197	418				
Taylor.....	705							251	705	251				
Union.....	499							275	498	276				
Van Buren.....	1,681							1,217	1,679	1,217				
Wapello.....	1,915					1	1	1,625	1,922	1,644			1	
Warren.....	1,457							575	1,459	6				568
Washington.....	1,500							715	1,502	715				
Wayne.....	998							669	998	674				
Webster.....	692							471	671	504				
Winnebago.....	182								183					
Winneahiek.....	1,254							582	1,248	585				
Woodbury.....	475							313	476	313				
Worth.....	208						1	5	204	5				1
Wright.....	270							77	209	78				
Total.....	97,243	1	1	1	1	1	2	57,257	96,696	56,878	84	2	1	569

Whereupon the President announced Samuel Merrill, duly elected Governor of the State of Iowa, for the term of two years from the second Monday in January, A. D. 1870, and Madison M. Walden, duly elected Lieutenant-Governor of the State of Iowa for the term of two years from the second Monday in January, 1870, they having received a majority of all the votes cast at the election in October last, 1869, and certificates of their election were read and signed as follows.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 12, 1870. }

This will certify, that upon a canvass in joint convention, of the two houses of the General Assembly, of the State of Iowa, of the votes cast at the October election, A. D. 1869, for the office of Governor of the State of Iowa, it appeared that Samuel Merrill received a majority of all the votes cast at said election for said office, and was, therefore, declared duly elected to said office for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 12th day of January, A. D. 1870.

G. G. BENNETT,  
President, *pro tem* of the Senate, and  
President of the Joint Convention.

AYLETT R. COTTON,  
Speaker of the House of Representatives.

ATTEST:

CHARLES BEARDSLEY,  
Teller of the Senate.

JNO. W. GREEN,  
FRED. O. DONNELL,  
Tellers of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 12, 1870. }

This is to certify, that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1869, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Madison M. Walden received a majority of all the votes cast at said election and was therefore declared duly elected to said office, for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 12th day of January, A. D. 1870.

G. G. BENNETT,  
President, *pro tem* of the Senate, and  
President of the Joint Convention.

AYLETT R. COTTON,  
Speaker of the House of Representatives.

ATTEST:

CHARLES BEARDSLEY,  
JAS. CHAPIN,  
Tellers of the Senate.

JNO. W. GREEN,  
FRED. O. DONNELL,  
Tellers of the House.

On motion of Mr. Dudley, the joint convention adjourned *sine die*.

On motion of Mr. Irish, the regular order of business was suspended.

Mr. Irish offered the following resolution, as a substitute for the resolution under consideration yesterday:

*Resolved*, That the Clerk be instructed to order for each member thirty-five copies of daily papers, or their equivalent in weeklies.

Mr. Brown, of Fayette, moved to indefinitely postpone.

Messrs. Dudley and Sater demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carver, Cutts, Dudley, Durham, Elbert, Evans, Harper, Harrison, Haycock, Hopkirk, Kasson, Keables, Ketcham, Lacey, McGavren, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Stutsman, Swan, Tait, Teale, Toliver, Tufts—38.

The nays were—

Messrs. Applegate, Arnold, Ball, Beresheim, Campbell, Carpenter, Day, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Lee, Lommen, Mahin, Marks, McCoun, Miles of Washington, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Spencer, Stanchfield, Stone, Taylor, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—50.

Absent or not voting—

Messrs. Butler, Cristoph, Conner, Cornell, Crawford, Dumont, Huff, Merritt, Parsons, Traer, Williams and Wood.

The motion to indefinitely postpone did not prevail.

Mr. Haycock moved to amend by striking out thirty-five and inserting five.

Messrs. Dudley and Sater demanded the yeas and nays.

Mr. Rosser moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Irish moved that further proceedings under the call be dispensed with. The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the resolutions transmitted herewith, in which the concurrence of the House is respectfully asked.

JAMES M. WEART, *Secretary*.

*Resolved*, By the Senate, the House concurring, that of all documents ordered printed by either branch of this General Assembly, and which would otherwise appear in the Journals, the State Printer shall print five hundred additional copies, which additional number shall be retained by the State Binder, who shall hold the same, with the legislative documents referred to, to be bound together by Section 2, Chapter 114, of the laws of the Tenth General Assembly, and such documents shall be excluded from the Journals of this General Assembly.

*Resolved*, By the Senate, the House concurring, that the Senate will meet the House in Joint Convention on Thursday, January 13th, 1870, at three o'clock P. M., for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

Upon the motion to strike out thirty-five and insert five, the yeas and nays were as follows:

The yeas were—

Messrs. Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, Dudley, Durham, Elbert, Harrington, Harrison, Haycock, Hopkins, Hopkirk, Kasson, Keables, Lacey, Marks, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Snow, Spencer, Stutsman, Swan, Tait, Toliver, Tufts, Warner—39.

The nays were—

Messrs. Applegate, Arnold, Bell, Carpenter, Day, De Groat, Dickerson, Dunne, Evans, Faville, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hunter, Irish, Jones, Ketcham, Lee, Lommen, Mahin, McCoun, McGavren,

Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Satterthwaite, Stanchfield, Stone, Taylor, Teale, Traer, Wason, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker, —51.

Absent or not voting—

Messrs. Christoph, Conner, Cornell, Crawford, Dumont, Huff, Merritt, Parsons, Williams, and Wood.

The motion to strike out did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has amended the House resolution relative to distribution of the Revision of 1860 and of bound copies of the laws, passed subsequent thereto by adding thereto the following :

Provided that no copies shall be supplied under this resolution to members furnished under any resolution previously passed by either branch of this General Assembly. In which the concurrence of the House is respectfully asked.

Also, that the Senate has ordered printed of the Governor's Biennial Message :

1,000 copies in the English.

500 copies in the Norwegian.

1,000 copies in the German.

500 in the Bohemian.

500 in the Holland.

500 in the Swedish languages.

JAMES M. WEART, *Secretary*.

#### HOUSE RESOLUTION.

*Resolved*, By the House of Representatives, the Senate concurring, that the Secretary of State be directed to furnish each member of the General Assembly a copy of the Revision of 1860, and of the statutes passed subsequent, the latter bound in one volume.

#### SENATE AMENDMENT.

Provided that no copies shall be supplied under this resolution to members furnished under any resolutions previously passed by either branch of the General Assembly.

Mr. Cutts moved to amend by striking out 35 and inserting 10.



Messrs. Dudley and Sater demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Dudley, Durham, Elbert, Evans, Harper, Harrington, Harrison, Haycock, Hopkirk, Kasson, Keables, Lacey, Lommen, Marks, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner.—39.

The nays were:

Messrs. Applegate, Arnold, Ball, Bell, Day, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Ketcham, Lee, Mahin, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Satterthwait, Snow, Stanchfield, Stone, Taylor, Traer, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—49.

Absent and not voting—Messrs. Beatty, Christoph, Conner, Cornell, Crawford, Dumont, Huff, Merritt, Parsons, Spencer, Williams, Wood.

So the motion to amend did not prevail.

Mr. Stone moved to amend by striking out 35 and inserting 34. The motion did not prevail.

Mr. Lacey moved to amend by striking out 35 and inserting 20. The motion did not prevail.

Mr. Irish offered the following substitute, and moved its adoption *Resolved*, That the clerk be instructed to order for the use of members of the House twenty-five copies of daily papers, or their equivalent in weeklies, and five for each officer of the House.

Mr. Stutsman moved that the substitute be referred to a committee of five. The motion did not prevail.

Mr. Kasson moved that the Senate resolution, relating to the inauguration be taken up. The motion prevailed.

On motion of Mr. Kasson, the House concurred in the Senate resolution.

On motion of Mr. Kasson, a committee of three was appointed to make an arrangement for the inauguration: The Speaker appointed Messrs. Kasson, Noel, and Wasson.

On the adoption of the substitute, Messrs. Brown of Van Buren and Sater demanded the yeas and nays, which were as follows.

The yeas were:—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Butler, Butterfield, Day, DeGroat, Dickerson, Dunue, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Kasson, Mahin, Marks, McCoun, McGavren, Millard, Mills, Miracle, Murdock, Pratt, Rogers, Rohlf, Russell, Sanborn, Spencer, Stone, Taylor, Traer, Wasson, Wright, of Allamakee, Wright of Sac, Mr. Speaker.—47.

The nays were :

Messrs. Beatty, Beresheim, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Durham, Elbert, Evans, Harrison, Hartshorn, Haycock, Hopkirk, Keables, Ketcham, Lacey, Lee, Lommen, Miles of Washington, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris O'Donnell, Rosser, Rowell, Sater, Satterthwaite, Snow, Stanchfield, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner, Wilson.—44

Absent or not voting, Messrs. Christoph, Conner, Crawford, Dumont, Huff, Merritt, Parsons, Williams and Wood.

So the substitute was adopted.

The question recurring on the amendment concerning newspapers published in this State,

The motion did not prevail.

The question recurring, " Shall the substitute be adopted in lieu of the original ?"

Messrs. Ketcham and Campbell demanded the yeas and nays, which were as follows :

The nays were—

Messrs. Applegate, Arnold, Bell, Bonewitz, Butler, Butterfield, Day, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Marks, McCoun, McGavren, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf, Russell, Sanborn, Spencer, Stanchfield, Stone, Taylor, Traer, Wasson, Wright of Allamakee, Wright of Sac, Mr. Speaker—45.

The nays were—

Messrs. Ball, Beatty, Beresheim, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Durham, Elbert, Evans, Harrison, Hartshorn, Haycock, Hopkirk, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Miles of Washington, Miles of Wayne, Morrison, Newbold, Noel, Norris, Rosser, Rowell, Sater, Satterthwaite, Snow, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner, Wilson—44.

Absent or not voting, Messrs. Christoph, Conner, Crawford, Dumont, Huff, Kasson, Merritt, Miller, Parsons, Williams and Wood.

So the substitute was adopted.

Leave was given Mr. McCoun to offer the following resolution, which was adopted :

*Resolved*, That a committee of three be appointed to ascertain the amount of mileage due members of this House.

Mr. Rohlf offered the following resolution :

*Resolved*, That for the use of the House one thousand five hundred copies of the Governor's biennial message be printed in the German, one thousand in Norwegian, one thousand in the Holland

and one thousand five hundred in Bohemian, and that the sum of one hundred dollars is hereby appropriated for the translation into the different languages.

Mr. Morrison moved that the expenses shall not exceed one hundred dollars for both houses.

The motion prevailed.

Mr. Dunne moved to amend by inserting five hundred copies in the Irish language.

The motion did not prevail.

The resolution was adopted.

On motion of Mr. Rowell the House adjourned until to-morrow, at 2 o'clock P. M.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 18, 1870. }  
Two o'clock, P. M.

House met pursuant to adjournment.

Speaker in the chair.

Prayer, by Rev. A. I. Hobbs.

Mr. Williams came forward and took the prescribed oath.

Journal of yesterday read and approved.

Mr. Irish asked leave of absence for Mr. Bell, which was granted.

Mr. Jones offered the following resolution which was adopted :

*Resolved*, That the judges of the Supreme Court, members of Congress, and the State officers be invited to take seats on the platform during the inauguration ceremonies.

Leave was granted Mr. Irish to offer the following resolution.

*Resolved*, That in addition to the twenty-five copies of daily newspapers, or their equivalent in weeklies, to be ordered by the chief clerk for the use of each member of this House, he order five daily papers or their equivalent in weeklies, for the use of the sergeant-at-arms, door-keeper, and each clerk.

The chair announced the committee on inauguration of governor, Messrs. Jones, Lee and Faville.

Mr. Ketcham moved to lay the resolution on the table.

Messrs. Irish and Lacey demanded the yeas and nays which were as follows :

The yeas were :

Messrs. Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Cornell, Cutts, Dudley, Dunne, Durham, Elbert, Evans, Harper, Harrison, Hartenbower, Haycock, Keables, Ketcham, Lacey, Lommen, Miles

of Washington, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Stutsman, Swan, Tait, Toliver, Wilson.  
—38

The nays were:

Messrs. Applegate, Arnold, Bell, Butterfield, Carpenter, Christoph, Conner, Crawford, Day, DeGroat, Dickerson, Dunne, Faville, Gibbons, Greene, Harrington, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Lee, Mahin, Marks, McConn, McGavren, Merritt, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Spencer, Stanchfield, Stone, Taylor, Teale, Traer, Wasson, Williams, Wright of Allamakee, Wright of Sac, Mr. Speaker.—56.

Absent and not voting—

Messrs. Conner, Dumont, Miles of Wayne, Warner and Wood.

The motion to lay on the table did not prevail.

Mr. Irish moved to reconsider the vote of yesterday, by which the House adopted the resolution in regard to supplying the members with newspapers.

Mr. Dudley moved that the motion to reconsider be laid upon the table.

On motion of Mr. Kasson the House took a recess of twenty minutes.

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#### TEN MINUTES TO THREE O'CLOCK, P. M.

The Speaker called the House to order.

Mr. Kasson moved that a committee of two be appointed to inform the Senate that the House was ready to receive them in joint convention.

The motion prevailed.

The Speaker appointed Messrs. Kasson and Rohlf as such committee.

The Sergeant-at-Arms announced the Honorable Senate, who entered the Hall, preceded by the President and Secretary, and took the seats assigned them.

#### JOINT CONVENTION.

Senator Bennett, President, *pro tem*, of the Senate, announced the meeting of the joint convention for the purpose of the inauguration of the Governor and Lieutenant-Governor elect.

Mr. Irish moved that a committee be appointed to notify the

Governor and Lieutenant-Governor elect that the joint convention was ready to receive them.

The President appointed Messrs. Irish, Miracle, and Senator Donnan as such committee.

Mr. Bulis moved that a committee be appointed to invite the judges of the Supreme Court and State officers to seats on the platform.

The motion prevailed.

The President appointed Messrs. Bulis, Butterfield and Gibbons.

Mr. Miracle moved that the judges of the District Courts be also invited to seats on the platform.

The motion prevailed.

The Sergeant-at-Arms announced the Governor and Lieutenant-Governor elect, Supreme Judges, State Officers, ex-Governors, Lieutenant-Governors, and Congressmen, who came in and took seats on the platform.

#### INAUGURATION CEREMONIES.

1. Prayer by Rev. W. F. King, President of Cornell College.
2. Music by the band, "Star Spangled Banner."
3. The oath of office was then administered to the Governor and Lieutenant-Governor elect by Chief-Justice Cole, of the Supreme Bench.
4. Governor Merrill then proceeded to deliver his inaugural address, as follows:

*Gentlemen of the Senate and House of Representatives:*

In the providence of God, and in accordance with the decision of the people of the State of Iowa, the solemn responsibility of administering the executive department of the State has been for a second time committed to my care. Permit me to return to you, and through you to the people, my grateful thanks for this renewed expression of the confidence of a generous people. I can only assure you, and them, that I shall strive to merit a continuance of that confidence by honest intention and earnest effort.

In again assuming this grave and solemn trust, custom devolves on me the duty of presenting such thoughts as seem to me pertinent to the occasion. The importance of the weighty interests intrusted to our keeping cannot be over estimated. Our beloved State is our home, and will be the home of our children, and their children for generations to come. The faithful discharge of our public duties must inevitably result in the present and future prosperity of the State. That devotion to the public welfare, which ignores self-interest, merits and is sure to receive at the hands of the people the highest and most enduring honors, while deserved obloquy

as certainly follows the unfaithful public servant. It is no time for us to look either to personal ambition or to merely local interests; but we are to seek for a broad and liberal policy, which shall embrace the interests of the whole commonwealth and the welfare of all the people, both for the present and for all future time.

The progress of our State in the past, and the grandeur of the work before us, can scarcely be realized. Within the memory of many of us, this vast domain, reaching from river to river, lay in its pristine beauty, untrodden save by the foot of the Indian and the trapper, who left scarce a trace of the footsteps, or a mark of their hands, upon it. Here it lay from the creation of the world till our time, its varied and mighty resources slumbering through countless ages, waiting for the stroke of the Saxon's arm to waken them into a bounteous life, prolific with blessings. It was reserved for us to see it, under the magic touch of the laborer's hand, yield its garnered wealth with a profusion which has beckoned capital and skill. We have seen commerce follow the plow, and the steamboat and the locomotive on the track of commerce; we have seen the thrifty homes of a million of people skirting our woodlands and dotting our prairies; we have seen towns and cities spring up in rapid succession; we have seen the school-house and sanctuary in all our new communities; we have seen colleges and seminaries of learning reach a degree of prosperity and breadth of influence, in a score of years, which more ancient and renowned institutions of learning had not attained till centuries had passed over them.

Within our memory this State has gathered a population equal to that of the State of New York after it had been settled two hundred years. Starting more than two hundred years later, Iowa has nearly overtaken Massachusetts. And yet our progress and development have but just commenced. The possibilities of our future are bewildering to contemplate. Only one acre in six has been put under cultivation. Our water-power for the most part still lies idle. Our coal-beds, among the broadest and deepest in the world, still hold undisturbed their exhaustless wealth; and these magnificent resources are so situated that their rapid development is inevitable. Here they lie with a great river on either side, and with natural highways to the great lakes, which need only to be improved, to afford our productions easy and cheap transportation.

To the east of us lie States which become every year less and less grain-growing, and more and more grain-consuming. To the south of us lies a cotton-growing country of vast extent, which will find its natural supply of breadstuffs in this direction. To the west of us lie the great mineral district of the Rocky mountains, with a prospective chain of populous States, from British America to Mexico, which may look this way for their supplies, opening a vast market for Western produce and manufactures. The first great arteries of this immense trade have already been opened across our

State. Thus with our boundless stores of undeveloped wealth we hold a central position, with markets all around us.

Capital is quick to discover our advantages. Our enterprises seldom go begging in the money market; our railways are rapidly pushing westward, and already they begin to point to the south and southwest, to the north and northwest. Instinctively they reach for the markets of the East, for the lumber of the pineries, for the commerce of the South, and for the trade of the Southwest and Northwest. Our railroad system is destined to open up our interior, and our western borders, with a rapidity of growth seldom equalled and never surpassed.

The tread of coming population, which we now hear, will not cease for generations. It is astounding to think for a moment of the capacity of our State for population! With the density of Massachusetts she would have six and a half millions; with the density of France, eight and a half millions; with that of England sixteen and a half millions; and that of Belgium *nearly nineteen millions*; and who will say that the rich soil of Iowa is not capable of sustaining even a greater density of population than either of these?

GENTLEMEN: We have much to do with the future of this State, as the wisdom and fidelity of public servants who have gone before us have had much to do with its past growth and present condition. Legislation and administration of government may exert a genial and stimulating influence upon the public welfare, or they may chill its life and cramp its growth.

We are set in high places that we may see; in places of power that we may help. It is expected of us that we shall study and comprehend the wants of the State, and meet them with judicious measures. And surely no representatives of the people ever had more to arouse them and gird them for earnest, conscientious, and manly work than we. We stand in the midst of mighty and rapid events. Grand opportunities are opening all around us. Momentous work crowds upon us. The onward rush of events will not wait. Progress is restless, and duty imperative.

The honor and glory of our State will largely depend upon the magnitude and grandeur of her public institutions. Her educational interests must be fostered and promoted, and her public school system placed in the van of progress. Our asylums for the unfortunate will need and should receive at our hands a liberal support. These institutions are the pride and glory of our commonwealth, speaking volumes for the spirit of humanity and liberality which has thus far controlled, and the christian enlightenment which has directed the legislation of our State. Let us continue and expand the work we find begun; and let us not falter nor fear, but move firmly forward in the grand field spread out before us. Let us lay deeply and surely the foundations of a great and noble commonwealth.

From every section of our country come the glad tidings of peace and returning prosperity. Under the judicious management of our national administration the public debt is constantly diminishing. With an unwavering faithfulness to our commercial obligations, the mutterings of repudiation, save as the lingering echoes of conquered treason, are unheard. With the immigration coming upon us from the old world, bringing capital and skill, and peopling our broad and fertile lands, it will require but a few years of prosperity to wipe out the debt contracted by the war for the salvation of the country. That war, through its baptism of blood made the nation purer and holier. Slavery, apparently too deeply imbedded in the foundation of the republic to be moved hence, except at the expense of the nation's destruction, perished beneath that nation's wrath. Rebellion had destroyed the government of certain States, and their reconstruction on principles of freedom and justice followed. Then came the solemn reaffirmation by the people of the ideas of union and liberty, which had given nerve and vigor to the war, by the election to the presidency the great captain of the conflict. And now the nation proposes to give the emancipated slave the ballot, and to take *its* place on the broad platform of universal freedom and equal rights to all God's people, wherever found. Let us repeat, in tones and language to be heard on every shore and in every land, our sympathy for nations, be they ever so humble, and for people, however obscure, struggling for liberty.

Nor should we forget those who patriotically offered themselves for the nation's life, nor those whom the noble dead left as a sacred charge to the State as well as to the nation.

Keeping constantly in mind the high character of the interests committed to our care, and imploring the continued blessing of Almighty God upon all our efforts, may the results of our labors redound to *his* glory and the *benefit* of the State.

Music by the band.

Mr. Irish moved that the joint convention now dissolve.

The motion prevailed.

House called to order by the speaker.

Mr. Rowell moved the House do now adjourn, which motion prevailed and the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 14th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer, by Rev. H. S. DeForest.

Journal of yesterday read and approved.

The question being on the motion to lay the motion to reconsider on the table.

The yeas and nays were demanded and were as follows :

The yeas were :

Messrs. Ball, Beatty, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Dumont, Durham, Elbert, Evans, Harper, Harrison, Haycock, Hirschler, Hopkirk, Keables, Lacey, Miles of Washington, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Stutsman, Swan, Tait, Toliver, Tufts, Warner, Wilson.—38.

The nays were :

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Butler, Christoph, Crawford, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf's, Rowell, Russell, Sanborn, Spencer, Stanchfield, Taylor, Teale, Traer, Wason, Williams, Wright of Allamakee, Wright of Sac, Mr. Speaker.—52.

Absent or not voting :

Messrs. Bell, Conner, Day, Kasson, Ketcham, Parsons, Stone and Wood.

So the motion to lay on the table did not prevail.

The motion to reconsider prevailed.

Mr. Irish moved to amend the resolution by inserting twenty-five dailies for each member.

Mr. Dudley moved to amend the amendment by inserting twenty instead of twenty-five.

Messrs. Dudley and Sater demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ball, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Dumont, Elbert, Evans, Harper, Harrison, Haycock, Hopkins, Hopkirk, Keables, Ketcham, Lacey, Lommen, Miles of Washington, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Stutsman, Swan, Tait, Teale, Toliver,—41.

The nays were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bonewitz, Christoph, Crawford, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Jones, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Spencer, Stanchfield, Taylor, Traer, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—51.

Absent or not voting—

Messrs. Bell, Conner, Day, Durham, Kasson, Parsons, Stone, and Wood.

The motion to amend did not prevail.

Mr. Miles moved to amend by adding five copies for each of the officers of the House.

The motion prevailed.

The question recurring on the resolution as amended, Messrs. Dudley and Sater demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Christoph, Crawford, DeGroat, Dickerson, Dunne, Faville, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Mahin, Marks, McCoun, McGavren, Merritt, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Spencer, Stanchfield, Taylor, Traer, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, Mr. Speaker—49.

The nays were—

Messrs. Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cornell, Cutts, Dudley, Dumont, Durham, Elbert, Evans, Harper, Harrison, Haycock, Hopkirk, Keables, Ketcham, Lacey, Lee, Lommen, Miles of Washington, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Wilson—45.

Absent or not voting—Messrs. Bell, Conner, Day, Kasson, Stone, and Wood.

The resolution was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has adopted the report of the Committee of Conference on the disagreeing votes of the two Houses on the appointment of Postmaster, Assistant-Postmaster, and Mail-Carrier, and

have adopted the following resolution, in which the concurrence of the House is asked.

*Be it resolved by the Senate, the House concurring,* That George F. Work, of Jasper county, be appointed Postmaster, Robert B. Baird, of Muscatine county, be appointed Assistant-Postmaster, and Ezra Rathbun, of Polk county, be appointed Mail-Carrier for the Thirteenth General Assembly.

JAMES M. WEART, *Secretary.*

The resolution was concurred in.

#### INTRODUCTION OF BILLS.

Mr. Mahin introduced House File No. 1, A bill for an act to amend Chapter 86 of the Revision of 1860, regulating the sale of School Lands, and for the protection of the Permanent School Fund, which was read a first and second time.

Mr. Rowell moved that the bill be referred to the Committee on Schools.

Mr. Parsons moved to amend, by referring the bill to a select committee, which motion did not prevail.

The question recurring on the motion to refer to the Committee on Schools, the motion prevailed.

Mr. Miles introduced House File No. 2, A bill for an act to legalize the organization of the Independent School District of Ainsworth, Washington county, Iowa, which was read a first and second time.

Mr. Miles moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion did not prevail.

On motion of Mr. Miles, the bill was referred to the Committee on Schools.

Mr. Morrison offered the following resolution, which was lost:

*Resolved by the House of Representatives, the Senate concurring,* That a committee, consisting of two from the House and one from the Senate, be at once appointed to visit the Penitentiary of this State at as early a day as practicable, with instructions to examine and report to this General Assembly—first, the sanitary condition, police regulations, and discipline afforded the convicts; second, the books, accounts, receipts, vouchers, and all papers pertaining to the financial management of the prison, in the hands of, or under the control of the Warden or his assistants; third, what further improvements, if any, are necessary to the safe and humane custody of the convicts; the character, extent, and probable cost of such improvements, and such other matters as may pertain to the public interest, and which the committee may deem proper to lay before the General Assembly.

It shall be the further duty of said Committee to visit and examine the State Reform School, and make a similar investigation of its wants, etc., and report to this General Assembly.

Mr. Millard offered the following resolution :

*Resolved*, That for the use of the House six thousand copies of the Governor's Inaugural Message be printed in the English, two thousand in the German, one thousand in the Holland, one thousand in the Bohemian, one thousand in the Swedish, and that the sum of one hundred dollars is hereby appropriated for translations into the different languages, but that only one charge shall be made by the State Printer for the translation of the Governor's Inaugural Message ordered by the House and Senate.

Mr. Faville moved to amend, by adding one thousand copies in the Norwegian language, which was adopted.

The resolution was adopted.

Mr. McCoun offered the following resolution which was referred to the standing committee on Post routes.

*Resolved*, by the General Assembly of the State of Iowa :

That our Senators in Congress, be instructed and our Representatives requested to use their best efforts to procure a daily mail route from Corning, Iowa, via., Bedford, Iowa to Marysville, Missouri.

Mr. Cornell offered the following resolution. Which was adopted.

*Resolved* : That the Clerk is hereby instructed to keep on file all orders of members for newspapers, and that no bills or claims for papers furnished to members of this House be audited or allowed unless strictly in accordance with such orders.

The Senate Resolution in the appointment of Postmaster, and Assistant Postmaster, being in accordance with the report of the Committee on conference—was taken up and concurred in.

The Senate amendment to the House Resolution in relation to the Revision and Session Laws. Was taken up and concurred in with the following amendment, strike out "The," and insert "This," in the last line.

Mr. Brown of Van Buren moved that when the House adjourn it be until Monday morning, 10 o'clock.

The motion prevailed.

Leave of Absence was granted until Tuesday morning, to Messrs. Irish, Rogers, Miles of Wayne, Arnold, Beresheim, Harrison, Durham, Miracle, Stanchfield and Keables.

Mr. Evans moved to reconsider the vote by which the House agreed to adjourn until Monday, 10 o'clock, A. M.—Carried.

Mr. Rowell moved that the House do now adjourn.

The motion did not prevail.

The question recurring on the motion to adjourn until Monday morning, at 10 o'clock. It was adopted.

On motion of Mr. Applegate the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 17, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. F. Breesee.

Journal of Friday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

*Resolved*, By the Senate, the House of Representatives concurring, That committees, consisting of one member of the Senate and two members of the House be appointed to visit the following State Institutions, to carefully examine their management, expenditures and wants :

Penitentiary; Insane Asylum, Mt. Pleasant; Insane Asylum, Independence; Deaf and Dumb, Iowa City; Deaf and Dumb, Council Bluffs; Blind Asylum; Soldiers' Orphans' Home, Davenport; Soldiers' Orphans' Home, Cedar Falls; Soldiers' Orphans' Home, Glenwood; State University; Agricultural College and Farm; Reform School.

Also that the Senate has ordered printed for its use, 1,000 copies of the Governor's Inaugural Address in the English language.

JAMES M. WEART, *Secretary*.

*Resolved*, If the House of Representatives concur, That there be printed five hundred copies of the rules adopted by the two Houses, including the joint rules, and standing committees and the usual statistics of the members and officers of the same, and diagrams of the halls of the two Houses; that two copies be delivered to each member any officer, and the remaining number be retained by the Secretary of State for subsequent use, and the use of the next General Assembly.

The Speaker announced the following committee on mileage: Messrs. McCoun, Bonewitz, and Hood.

PETITIONS.

Mr. Ball presented a petition from the citizens of Jefferson County, asking that property belonging to railroad corporations be taxed the same as that of individuals.

Referred to Committee on Railroads.

Mr. Mahin presented a petition from the Board of Trade, City Council, County Officers, and citizens of Muscatine, asking that

the property of railroad corporations be taxed the same as property of individuals.

Referred to Committee on Railroads.

Mr. Applegate presented a petition from sundry citizens of Scott county, asking the repeal of chapter 45 of acts of Twelfth General Assembly, and chapter 135 of acts Eleventh General Assembly.

Referred to Committee on Agriculture.

Mr. Applegate presented a petition from sundry physicians of Scott county, asking for further legislation in relation to the medical department of the State University.

Referred to the Committee on State University.

Mr. Ketcham presented a petition from Robert McKee and other citizens of Iowa county, asking that railroad property be taxed the same as that of individuals.

Referred to Committee on Railroads.

Mr. Dumont presented a petition from W. A. Keister and other citizens of Butler county, asking "that a law be passed to prevent stock from running at large."

Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Dudley, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee, to whom was referred the papers in the matter of the contest between A. Benjamin Cornell and David Stewart, would beg leave to make the following report: that we have had the subject under consideration and have heard the argument of counsel for said contestant David Stewart, Senator Fairall appealing for said Stewart, but have been unable from the evidence that the board of supervisors so erred as to require this legislature to set aside their decision, but would recommend that said David Stewart be allowed by the house *per diem* and mileage until decided; all of which is respectfully submitted.

C. DUDLEY.  
JOEL BROWN.

Mr. Mills submitted the following minority report:

#### MINORITY REPORT.

The undersigned member of the committee appointed to investigate the matter of the contested election from Johnson county, wherein David Stewart claims to have been legally elected a member of this House by the voters of said county, and entitled to the seat now held by A. Benjamin Cornell, and being unable to concur

with the majority of the committee in the conclusions at which they have arrived, respectfully submit the following report :

The parties with their attorneys appeared before the committee and stated that there was no controversy between them as to the facts—that they only differed as to the question of law.

The facts are substantially as follows: At the general election held in said county on the 2d day of October, 1869, the returns of the poll in the township of Penn shows that the contestant, David Stewart, received 105 votes, and A. B. Cornell, received 75 votes, which gave the contestant, Stewart, a majority over Cornell of 30 votes. That the poll-book was delivered by the officers of election to the Board of Canvassers without having been sealed up. Subsequently, by a vote of a majority of the Board of Canvassers, the poll of said township of Penn was rejected on the ground that the poll-book had not been sealed before its delivery to said Board. The rejection of the vote of Penn township gave Mr. Cornell a majority of eight votes in the county of Johnson over the contestant, Stewart, whereas, if the board of Canvassers had counted the votes of said township the contestant, Stewart, would have had a majority of twenty-two votes in said county over Mr. Cornell. The Board by rejecting the vote of said township declared Mr. Cornell elected a member of this House, and gave him a certificate accordingly.

The facts show beyond any controversy that at the general election, held in Johnson county, on the second Tuesday of October, 1869, the contestant, David Stewart, received a majority of twenty-two votes, over the sitting member, A. B. Cornell. There is no pretence that Mr. Cornell received a majority of the votes of the people of Johnson county, at said election. But he bases his right to a seat in the House of Representatives on a mere technicality, to-wit, that by the provisions of Section 503, of the Revision, the poll-book should have been sealed by the officers of election before it was delivered to the board of canvassers, and this was the ground on which said board rejected the vote of Penn Township.

Was the action of the board of canvassers in rejecting the vote of Penn Township, for the reason that the poll-book was not sealed at the time it was delivered to the board of canvassers legal and right? In the opinion of the undersigned, it is not. The error or omission of the clerk to seal the poll-book, where there is no evidence of fraud and not even a suggestion that the returns were tampered with cannot vitiate and render null and void the election and thereby defeat the will of the people and deprive them of the services of their chosen Representative, and compel them to accept as their Representative, a gentleman who failed to command a majority of the votes of the freemen of Johnson county. To sanction such a principle would give to the officers of election the power to defeat the will of the people and open the the door to fraud and dishonesty.

The board of canvassers of Johnson county were clearly mistaken in the law. Section 503 of the Revision is *not mandatory* but simply *directory* and hence the error of the clerk in neglecting to seal the poll-book working no injury to any one. The facts and the law being clearly with the contestant the undersigned recommend that David Stewart be declared entitled to the seat now occupied by A. B. Cornell. All of which is respectfully submitted.

WM. MILLS.

Mr. Crawford moved that the minority report be substituted.

Leave was granted both parties to be heard on the case.

The question being on the motion to adopt the minority report, Messrs. Hobson and Brown, of Van Buren demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dumont, Dunne, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Lacey, Lee, Lommen, Mahin, Marks, McCoun, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Statsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.

—80.

The nays were—

Mr. Dndley.—1.

Absent or not voting—

Messrs. Arnold, Bell, Beresheim, Bundy, Conner, Cornell, De Groat, Durham, Gibbons, Hirschler, Irish, Keables, Ketcham, McGavren, Miles of Wayne, Rogers, Snow, Swan and Wood.—19.

The minority report was adopted.

Mr. Kasson offered the following resolution which was adopted.

*Resolved*, That David Stewart is entitled to a seat in this House as a representative from the thirty-third Representative District of this State.

On motion of Mr. Crawford, the House adjourned.



TWO O'CLOCK P. M.

House convened pursuant to adjournment.

Mr. Stewart came forward and took the prescribed oath.

Leave was granted Mr. Murdock to offer the following resolution.

*Be it resolved by the General Assembly of the State of Iowa,* That all the unsold school-lands of the State of Iowa are hereby withdrawn from market until the first day of March next, and that the Secretary of State be directed to inform all county auditors of the passage of this resolution.

This resolution shall take effect from and after its publication in the *State Register* and *Des Moines Bulletin*.

Mr. Ketcham asked leave of absence for Mr. Green until tomorrow morning, which was granted.

On motion of Mr. Traer, the resolution in regard to school lands was referred to Committee on Schools.

#### INTRODUCTION OF BILLS.

Mr. Wilson introduced House File No. 3, A bill for an act to restrain stock from running at large.

Read first and second time and referred to Committee on Agriculture.

Mr. Applegate introduced House File No. 4, A bill for an act to repeal chapter 45 of Twelfth General Assembly, and chapter 135 of the Eleventh General Assembly.

Read first and second time and referred to Committee on Agriculture.

Mr. Dunne introduced House File No. 5, A bill for an act to amend chapter 137 of the laws of the Twelfth General Assembly.

Read first and second time and referred to Committee on Ways and Means.

Mr. Traer introduced House File No. 6, A bill for an act repealing chapter 95 of the acts of the Twelfth General Assembly.

Read first and second time and referred to Committee on Charitable Institutions.

Mr. Day introduced House File No. 7, A bill for an act fixing times for holding the terms of the District Court in the Fourth Judicial District.

Mr. Day moved to suspend the rules, and that the bill be considered engrossed and read a third time now, which motion prevailed.

The bill was read a third time. Upon the question shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Brown of Fayette, Brown of

Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, De Groat, Dickerson, Dudley, Dumont, Dunne, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Swan, Stewart, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—80.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bell, Beresheim, Bonewitz, Bundy, Conner, Crawford, Durham, Gibbons, Green, Hirschler, Irish, McCoun, McGavren, Miles of Wayne, Mills, Parsons, Rogers, Snow, and Wood—20.

So the bill passed and the title was agreed to.

Mr. Hopkins introduced House File No. 8, A Bill for an Act for the taxation of the property of railroad companies. Read a first and second time and referred to Committee on Railroads, and ordered to be printed.

Mr. Mahin introduced House File No. 9, A bill for the suppression of dental quackery and the encouragement of scientific attainments in the profession of dentistry. Read first and second time and ordered to be printed.

Mr. Dunne moved to lay the bill on the table, which did not prevail.

Mr. Dudley introduced House File No. 10, A bill for an act to change the number and manner of electing county supervisors. Read first and second time and referred to the Committee on Township and County Organization, and ordered to be printed.

Mr. Rowell introduced House File No. 11, A bill for an act to amend chapter 115, Revision 1860, relative to drawing jurors.

Read first and second time.

On motion of Mr. Rowell, the rule was suspended and the bill read a third time.

Upon the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Washing-

ton, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Stewart, Spencer, Stanchfield, Stone, Stutsman, Tait, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—74.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bell, Beresheim, Bonewitz, Conner, Crawford, Durham, Gibbons, Green, Hirschler, Irish, McConn, McGavren, Miles of Wayne, Morrison, Parsons, Satterthwaite, Snow, Swan, Taylor, Traer, Wood—26.

So the bill passed and the title was agreed to.

Mr. Dudley introduced House File, No. 12. A Bill to amend chapter 118, Laws of the 11th General Assembly. Read 1st and 2d time and referred to Committee on Ways and Means.

Mr. Newbold introduced House File, No. 14. An act to amend chapter 173 of the acts of the 9th, General Assembly entitled an act to amend chapter 45 of the Revision of 1860, being an act in relation to revenue. Read 1st and 2d time and referred to Committee on Compensation of Public Officers.

Mr. Lacey introduced House File, No. 14. A Bill for an act to repeal Section 2498 Revision of 1860, relating to descent of property. Read 1st and 2d time and referred to Committee on Judiciary.

Mr. Hartenbower introduced House File, No. 15. A Bill for An Act to regulate the running of Steam Engines on land. Read 1st and 2d time.

Mr. Applegate moved that the bill lay on the table. Which motion did not prevail.

The bill was referred to Committee on Domestic Manufactures.

Mr. Kasson introduced the following joint resolution, which was referred to Committee on Federal Relations.

Joint resolution ratifying the proposed Fifteenth Article of the Constitution of the United States.

WHEREAS, The Congress of the United States, has, pursuant to the fifth Article of the original constitution, proposed to the legislatures of the several States, an Article of amendment to the constitution of the United States of America, to become a part thereof when ratified by three-fourths of the said legislatures, which amendment is as follows :

#### ARTICLE XV.

SECTION. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation ; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That the said article be and the same is hereby adopted and ratified by the Legislature of the State of Iowa.

*And be it further resolved by the General Assembly aforesaid,* That it shall be the duty of the Governor of this State to transmit a certified copy of these resolutions to the Secretary of State of the United States.

Mr. Brown, of Fayette, offered the following resolution :

*Resolved,* That, the Senate concurring, there be a joint committee of three from the House and two from the Senate to investigate the charges as set forth in the affidavits of S. Barr, James Drigh-ton, John Elder, A. C. Smith, J. A. Montgomery, and others, against Martin Heisey, Warden of the Penitentiary at Fort Madison, and that said committee be authorized to visit the Peni- tentiary, if they deem it necessary ; and that they have full power to send for persons and papers.

Mr. Stone moved that the resolution be referred to the Commit- tee on Penitentiary.

The motion did not prevail.

The resolution was adopted, and the Chair appointed Messrs. Brown of Fayette, Brown of Van Buren, and Bell as such com- mittee.

Mr. Huff offered the following, which was adopted :

*Resolved,* That the message of his Excellency, Gov. Merrill, be made the special order in Committee of the Whole, on Wednesday next, at 2 P. M., for the purpose of referring its various subjects to the appropriate committees.

Mr. Mahin offered the following resolution, which was lost :

*Resolved,* By the House of Representatives, the Senate concur- ring, that the postmaster and assistant-postmaster each be entitled to five daily papers, or their equivalent in weeklies, and to two dollars weekly postage.

Mr. Dudley offered the following resolution, which, on motion of Mr. Wilson, was referred to the Committee on Compensation of Public Officers.

*Resolved,* By the House, that the compensation of officers and employees shall not be more than the following sums per day :

Chief Clerk.....	\$ 5.00
First and Second Assistants, each .....	4.50
Engrossing and Enrolling Clerks, each.....	4.50
Sergeant-at-Arms and Door-Keeper.....	3.50
Postmaster, Assistant, and Janitor, each .....	3.50
Messengers and Paper-folders, each.....	2.00

#### MESSAGES ON SPEAKER'S TABLE.

Joint resolution in relation to excluding certain documents from

the Journal was concurred in ; also, for the appointing of Committees to visit the public institutions, and for the printing of the rules and statistics of the members of both houses.

Mr. Applegate moved that the House do now adjourn, which motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 18, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. H. S. DeForest.

Journal of yesterday read and approved.

The Speaker announced the following list of committees :

HOUSE STANDING COMMITTEES.

*Judiciary*--Rowell, Parsons, Murdock, Mills, Stone, McCoun, Lacey, Elbert, O'Donnell, Miracle, Pratt, and Huff.

*Ways and Means*--Traer, Kasson, Dudley, Wright of Allamakee, Green, Hartenbower, Miracle, Snow, Brown of Van Buren, and Stanchfield.

*Schools*--Harper, Miles of Washington, Ketcham, Norris, Hood, Merritt, Gibbons, Kasson, Brown of Fayette, Marks, Arnold, and Rogers.

*Agriculture*--Wilson, Spencer, Millard, Dumont, Dunne, Dickerson, Hopkins, Hartenbower, and Sater.

*Public Buildings*--Murdock, Arnold, Jones, Lee, Bell, Harrison, Hood, Beresheim, and Rohlf.

*Federal Relations*--Kasson, Crawford, Haycock, Hobson, Gibbons, Rosser, Williams, Hunter, Noel, and Teale.

*Constitutional Amendments*--Green, Hobson, Pratt, Stutsman, Toliver, Gibbons, Stanchfield, and Cutts.

*State University*--Stanchfield, Irish, Hartshorn, Hunter, Parsons and Harper.

*Claims*--Dudley, Hopkins, Carpenter, Christoph, Keables, Hirschler, Campbell, and Tufts.

*Railroads*--Cutts, Williams, Wilson, Day, Miles of Wayne, Mills, Millard, Satterthwaite, Noel, De Groat, Wright of Sac, Faville, Irish, Keables, Rohlf, Bereshiem, and Miles of Washington.

*Commerce*--Rogers, Russell, Morrison, Sanborn, McGavren, Butter, Crawford, Butterfield, and Huff.

*Military Affairs*--Brown of Fayette, Tait, Stutsman, Warner,

Campbell, Newbold, Morrison, Toliver, McCoun, Pratt, and Marks.

*Charitable Institutions*—Brown of Van Buren, Lee, Bundy, Bonewitz, Lommen, Spencer, Christoph, Miles of Wayne, and Evans.

*Enrolled Bills*—Toliver and Hartshorn.

*Engrossed Bills*—Campbell, Day, and O'Donnell.

*Expenditures*—Noel, Miller, Harrington, De Groat, Warner, Bonewitz, Lommen, Harrison, and Lee.

*Library*—Bundy, Elbert, Merritt, Hobson, and Keables.

*Compensation of Public Officers*—Hunter, Stutsman, Faville, Newbold, Hood, Carpenter, and Snow.

*Banks and Banking*—Arnold, Traer, Harrington, Wasson, De Groat, Hopkirk, and Noel.

*Domestic Manufactures*—Wright of Sac, Taylor, Haycock, Butterfield, Warner, Harrison, and Rosser.

*Public Lands*—Marks, Butter, Day, Bonewitz, Miller, Hirschler, Hopkins, and Huff.

*Internal Improvements*—Rohlf, Wright of Allamakee, Gibbons, Swan, Christoph, Wood, Carver, Ketcham and Miles of Wayne.

*Agricultural College*—Russell, Wood, Durham, Ball, and Brown of Fayette.

*Asylum for the Insane*—Miles of Washington, Keables, McGavren, Newbold, Bell and Mahin.

*Asylum for the Deaf and Dumb*—Beresheim, Stewart, Dunne, Bundy and Teale.

*Penitentiary*—Williams, Satterthwaite, Carver, Ball, and Murdock.

*Institution for the Education of the Blind*—Morrison, Wasson, Tait, Crawford and Hopkirk.

*Soldiers' Orphans' Home*—Russell, Stone, Applegate, Carpenter, Christoph, Durham, Lommen and Conner.

*Horticulture*—Teale, Faville, Carver, Bell, Harrington and Tufts.

*Reform School*—Norris, Swan, Beatty, Pratt and Mills.

*Rules*—Huff, Hood, Hartshorn, Mahin, and Traer.

*New Counties*—McCoun, McGavren, Hopkirk, Snow, Wasson, Evans and Wright of Sac.

*Police Regulations*—Hartshorn, Ketcham, Butler, Hobson and Beatty.

*County and Township Organization*—Toliver, Haycock, Dickerson, Hartenbower, Sater, Spencer, Miller and Lacey.

*Incorporations*—Miracle, Taylor, Butterfield, Irish, Dumont, Wright of Allamakee, Wasson, Butterfield, Ball and Rowell.

*Elections*—Applegate, Harrison, Miles of Wayne, Bonewitz, Christoph and Butterfield.

*Printing*—Mahin, Jones, Hunter, Irish, Elbert, Stone and Green.

*Suppression of Intemperance*—Tufts, Merritt, Applegate, Sanborn, Crawford and Norris.

*Roads and Highways*—Evans, Teale, Dickerson, Hopkirk, Tait, Dumont and Applegate.

*Judicial Districts*.—Stone, Butterfield, Dunne, Stewart, O'Donnell, Day, Millard, Conner, Wood, Rosser, Elbert, and Harper.

*Congressional Districts*.—Lacey, Sater, Christoph, McCoun, Beatty and Marks.

*Senatorial and Representative Districts*.—Beatty, Harsthorn, Hirschler, Campbell, and Wright of Sac.

*Des Moines River Improvement*.—Rosser, Jones, Hartenbower, Durham, Hunter, and Dudley.

Mr. Dudley moved that the House should proceed to the election of United States Senator for the term of six years from the 4th day of March, A. D. 1871.

Mr. Traer asked leave of absence for Mr. Wilson which was granted.

The motion to proceed to the election of United States Senator prevailed.

Mr. Rowell nominated George B. Wright of Polk county.

Mr. Mills nominated T. W. Claggett, of Lee county.

The roll of the House was called with the following result, the members voting *viva voce*.

George G. Wright received eighty votes.

T. W. Claggett received thirteen votes.

Those gentlemen voting for George G. Wright were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Conner, Cornell, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hood, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, Mr. Speaker.  
—87.

Those gentlemen voting for Thomas W. Claggett were—

Messrs. Bell, De Groat, Christoph, Dunne, Gibbons, Hartenbower, Hirschler, Irish, Mills, Norris, O'Donnell, Wright of Allamakee.—12.

Absent or not voting—

Mr. Hopkins.

George G. Wright, of Polk county was thereupon declared to

have received a majority of all the votes cast for United States Senator for the term of six years from the 4th day of March, A. D. 1871, and to be the choice of the House of Representatives.

The House then proceeded to the election of a United States Senator to fill the vacancy occasioned by the resignation of James W. Grimes.

Mr. Stutsman nominated J. B. Howell, of Lee county.

Mr. Mills nominated John T. Stoneman, of Clayton county.

Upon calling the roll of the House the result was as follows:

J. B. Howell received 80 votes.

John T. Stoneman received 13 votes.

Those gentlemen voting for Mr. Howell were:

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stewart, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Sac, Mr. Speaker—81.

Those gentlemen voting for John T. Stoneman were:

Messrs. Bell, Christoph, Crawford, De Groat, Dunne, Gibbons, Hartenbower, Hirschler, Hood, Irish, Mills, O'Donnell, Wright of Allamakee—13.

Absent or not voting:

Messrs. Conner, Hopkins, Miles of Wayne, Snow, Swan, and Wood—6.

J. B. Howell was therefore declared to have received a majority of all the votes cast, and to be the choice of the House of Representatives to fill the vacancy in the United States Senate occasioned by the resignation of Hon. James W. Grimes.

#### PETITIONS.

Mr. Marks presented a petition from the citizens of O'Brien county, asking the passage of a law to prevent stock from running at large. Referred to committee on Agriculture.

Mr. Harper presented a memorial from M. H. Horner, county treasurer of Des Moines county, in relation to the compensation of county treasurers for collecting taxes. Referred to committee on compensations of public officers.



Mr. Mills, presented a petition and memorial praying the Legislature to memorialize Congress for an appropriation for the Wisconsin and Fox River improvement, and for other purposes. Referred to Committee on Commerce.

Mr. Hopkins presented a petition from forty-eight citizens of Jefferson county, asking the taxation of property of railroad corporations. Referred to Committee on Railroads.

Mr. Rogers presented a petition from T. P. Wilcox and two hundred other citizens of Clinton county, asking the passage of a law authorizing the holding of two terms of circuit court a year at Wheatland, Iowa. Referred to Committee on Judiciary.

Mr. Tait presented a petition from O. J. Howell, of Netwin, and other citizens, asking the passage of an act for the taxation of railroad corporations. Referred to Committee on Railroads.

Mr. Traer presented a petition from James McIrvin and others in relation to the payment of a claim of John Miller. Referred to Committee on Claims.

Mr. Miracle presented a petition from M. A. McHenry and other citizens of Crawford county, asking the passage of a law to prevent stock running at large. Referred to Committee on Agriculture.

Mr. Noel presented a petition from the members of the Board of Supervisors of Dallas county, Iowa, asking the abolishing the supervisor system and to establish the commissioner system. Referred to Committee on County and Township Organization.

Mr. Sanborn presented a petition from the board of supervisors of Delaware county, for a more stringent law preventing the spread of Canada thistles. Referred to Committee on Agriculture.

Mr. Lee presented a petition from the Mayor and City Council of Independence, praying for the passage of an act empowering city councils, boards of aldermen, and trustees of cities to provide for the punishment of persons under conviction for violation of city ordinances, by compelling them to labor upon the public streets and alleys. Referred to Committee on Judiciary.

Mr. Harper presented a petition of W. H. Horner in relation to the amendment of the revenue laws. Referred to Committee on Ways and Means.

Mr. Harper presented a petition from W. H. Horner praying for a change of law in relation to school districts. Referred to Committee on Schools.

#### REPORT OF COMMITTEES.

Mr. McCoun from the Committee on Mileage made the following report which was adopted:

Your committee to whom was assigned the duty of ascertaining the amount of mileage due to each member of this House, respectfully report that they have performed that duty, and that there is due to the members of this House, the amount set opposite their names in the accompanying list.

Your committee recommend that the Clerk of the House be directed to read the names of members, and the number of miles, and the amount of mileage allowed by your committee, and that each member, as his name is called, shall arise in his place, and state whether the amount is correct and just, and if not, to make such correction as shall be just.

L. J. McCOUN,  
P. G. BONEWITZ,  
J. M. HOOD.

NAME.	COUNTY.	MILES	AMOUNT.
Carlos C. Applegate.....	Scott.....	390	\$ 58.50
Delos Arnold.....	Marshall.....	248	37.20
Joseph Ball.....	Jefferson.....	235	35.25
Jas. W. Beatty.....	Cedar.....	465	69.75
David S. Bell.....	Lee.....	400	60.00
John Beresheim.....	Pottawattamie....	282	42.30
Peter G. Bonewitz....	Jones.....	450	67.50
Aaron Brown.....	Fayette.....	520	78.00
Joel Brown.....	Van Buren.....	300	45.00
Wm. Butler.....	Page.....	444	66.60
Geo. W. Butterfield.....	Chickasaw.....	500	75.00
W. H. Campbell.....	Guthrie.....	80	12.00
Thaddeus B. Carpenter.....	Black Hawk.....	465	69.75
John H. Carver.....	Wapello.....	172	25.50
John Christoph.....	Dubuque.....	560	89.00
Abijah Conner.....	Washington.....	430	67.50
A. B. Cornell.....	Johnson.....	260	39.00
Aylett R. Cotton.....	Clinton.....	560	84.00
Theophilus Crawford...	Dubuque.....	560	84.00
M. E. Cutts.....	Mahaska.....	130	19.50
Harwood G. Day.....	Emmet.....	400	60.00
Emory De Groat.....	Jackson.....	520	78.00
David Dickerson.....	Allamakee.....	580	87.00
Charles Dudley..	Wapello.....	184	27.60
Samuel B. Dumont.....	Butler.....	500	75.00
James Dunne.....	Jackson.....	600	90.00
David T. Durham.....	Marion.....	110	16.50
Benj. F. Elbert.....	Monroe.....	220	33.00
Wm. C. Evans.....	Muscataine.....	272	41.30
Amos S. Faville.....	Mitchell.....	580	87.00

## MILEAGE OF MEMBERS—CONTINUED.

NAME.	COUNTY.	MILES.	AMOUNT.
Patrick Gibbons.....	Lee.....	400	60.00
John W. Green.....	Scott.....	350	52.50
William Harper.....	Des Moines.....	362	54.30
Oliver C. Harrington.....	Bremer.....	500	75.00
Geo. D. Harrison.....	Louisa.....	380	67.00
Jno. H. Hartenbower.....	Madison.....	65	9.75
B. F. Hartshorn.....	Cerro Gordo.....	572	85.50
Benj. A. Haycock.....	Keokuk.....	265	39.75
Christian Hirschler.....	Lee.....	400	60.00
Joseph Hobson.....	Fayette.....	600	90.00
James M. Hood.....	Fremont.....	500	75.00
John F. Hopkins.....	Boone.....	178	26.70
William Hopkirk.....	Jefferson.....	250	37.50
Henry L. Huff.....	Hardin.....	300	45.00
John D. Hunter.....	Hamilton.....	400	60.00
John P. Irish.....	Johnson.....	260	39.00
Geo. W. Jones.....	Polk.....	...	3.00
John A. Kasson.....	Polk.....	...	3.00
Benj. F. Keables.....	Marion.....	96	14.40
James P. Ketcham.....	Iowa.....	190	28.50
John F. Lacey.....	Mahaska.....	130	19.50
Daniel S. Lee.....	Buchanan.....	590	88.50
A. O. Lommen.....	Winneshiek.....	592	89.80
John Mahin.....	Muscatine.....	324	48.60
Constant R. Marks.....	Woodbury.....	460	69.00
Leonard T. McCoun.....	Taylor.....	480	72.00
Geo. H. McGavren.....	Harrison.....	490	73.50
Wm. W. Merritt.....	Montgomery.....	400	60.00
Louis Miles, jr.....	Wayne.....	350	52.50
Joseph D. Miles.....	Washington.....	425	63.75
John L. Millard.....	Clark.....	330	49.50
Claudius B. Miller.....	Appanoose.....	260	39.00
Wm. Mills.....	Dubuque.....	600	90.00
John D. Miracle.....	Crawford.....	260	39.00
John J. Morrison.....	Keokuk.....	200	30.00
Samuel Murdock.....	Clayton.....	680	102.00
Joshua G. Newbold.....	Henry.....	320	48.00
Cole Noel.....	Dallas.....	50	8.70
Timothy O. Norris.....	Davis.....	260	39.00
Fred O'Donnell.....	Dubuque.....	600	90.00
Galusha Parsons.....	Webster.....	16	24.00
Henry O. Pratt.....	Floyd.....	512	76.80
Samuel H. Rogers.....	Clinton.....	490	73.50

## MILEAGE OF MEMBERS—CONTINUED.

NAME.	COUNTY.	MILES.	AMOUNT.
Mathias J. Rohlf.	Scott	386	57.90
Geo. N. Rosser	Van Buren	260	39.00
Neal W. Rowell	Union	440	66.00
Jno. Russell	Jones	500	75.00
Cummings Sanborn	Delaware	525	78.75
Thos. J. Sater	Des Moines	296	59.40
Joshua W. Satterthwaite	Henry	300	45.00
Erastus Snow	Poweshiek	110	16.50
Benj. Spencer	Clinton	550	85.50
Oliver O. Stanchfield	Linn	409	60.60
John Y. Stone	Mills	400	60.00
Abraham H. Stutsman	Lucas	280	42.00
Alex. H. Swan	Warren	50	7.50
John H. Tait	Jasper	80	12.00
Hamilton B. Taylor	Clayton	590	88.50
Fred Teal	Decatur	384	57.60
Gillam S. Toliver	Greene	116	17.40
John W. Traer	Benton	480	72.00
J. Q. Tufts	Cedar	304	45.60
Edgar A. Warner	Linn	459	68.85
Jesse Wasson	Black Hawk	510	76.50
Horace B. Williams	Winneshek	635	95.25
James Wilson	Tama	328	49.20
Wm. K. Wood	Story	150	22.50
P. G. Wright	Allamakee	640	96.00
Geo. H. Wright	Sac.	370	56.00
David Stewart	Johnson	270	40.50
Caleb Bundy	Jasper	55	8.25
Total			\$5,492.60

Mr. Mills offered the following resolution which was adopted:  
*Resolved*, That A. B. Cornell be allowed his mileage and *per diem* for the time he occupied his seat as Representative of 33d district from Johnson County.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed the following resolution, in which the concurrence of the House is asked:

*Resolved*, By the Senate, the House concurring, that the two Houses, meet in joint convention on Wednesday, January, 19th at 12 o'clock, meridian, in accordance with an act of Congress, approved, July 26, 1866, for the purpose of having the Journals of the Senate and House read in relation to the election of United States Senators and for other purposes, required by said act of Congress.

JAMES M. WEART, *Secretary*.

#### INTRODUCTION OF BILLS.

Mr. Irish introduced House File No. 16, A bill for an act to provide additional endowment for the State University, read first and second time and referred to Committee on State University.

Mr. Rowell introduced House File No. 17, A bill for an act authorizing the re-survey of lands in certain cases and prescribing rules, duties, and powers of county surveyors. Read first and second time and referred to Committee on Public Lands and ordered to be printed.

Mr. Wright of Sac, introduced House file No. 18, A bill for an act to prevent domestic animals from running at large. Read first and second time and referred to Committee on Agriculture.

Mr. O'Donnell introduced House File No. 19, A bill for an act to amend section No. 3184 and 3308 of revision 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Huff introduced House File No. 20, A bill for an act to authorize county auditors to administer oaths and affirmations. Read first and second time. Mr. Huff moved that the rule be suspended and the bill read a third time now. The motion did not prevail. The bill was referred to Committee on Judiciary.

Mr. Teale introduced House File No. 21, A bill for an act to prevent malicious prosecutions. Read first and second time and referred to Committee on Judiciary.

Mr. Newbold introduced House File No. 22, A bill for an act to regulate the executions and transfer of notes given for patent rights. Read first and second time and referred to Committee on Judiciary and ordered to be printed.

Mr. Wright of Sac, introduced House File No. 23, A bill for an act to authorize County Treasurers to receive warrants, orders, or evidences of indebtedness of any road or school-district in payment of delinquent road, school, or contingent taxes. Read first and second time and referred to Committee on Judiciary.

Mr. Hartshorn introduced House File No. 24, A bill for an act authorizing County Auditors to appoint deputies, administer oaths and take acknowledgment and proof of deeds and other instru-

ments in writing. Read first and second time and referred to Committee on Judiciary.

Mr. McGavren introduced House File No. 25, A bill for an act establishing a board of county commissioners. Read first and second times and referred to Committee on Judiciary, and ordered to be printed.

Mr. Lacey introduced House File No. 26, A bill for an act to amend section 722 of Revision of 1860 and to prevent fraud in assessments. Read first and second time and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Irish offered the following, which was adopted.

*Resolved*, That until further ordered this House will hold but one daily session.

Mr. Traer offered the following resolution which was referred to the Committee on federal relations.

#### JOINT RESOLUTION.

WHEREAS, The question of the removal and re-location, permanently, of the seat of government of the United States at some point more in consonance with the views and wishes of the people, is now agitating the public mind; and,

WHEREAS, The great Mississippi valley lies equi-distant from ocean and ocean, draining by her rivers one-half of the continent, and capable of floating on their bosom the commerce of the entire nation, crossed and re-crossed by the great arteries of commerce and travel, competing for the trade of the sea-board cities; and,

WHEREAS, Her unbounded natural resources, combining every element of future greatness, together with her rapid comparative increase of population, and the energy and intelligence of her people, all point unmistakably to her, in no distant future, as the seat of wealth, population, and manufactures of the Union; therefore,

*Be it resolved by the General Assembly of the State of Iowa*, That our Senators be instructed, and our Representatives in Congress requested, to use all honorable means to secure a removal of the national capitol, at the earliest day possible, to some central point in the great Mississippi valley, and to that end, that they be instructed and requested to oppose further appropriations of the public moneys for the erection of buildings at the present seat of government.

*Resolved*, That the Secretary of State be requested to forward authenticated copies of this preamble and resolution to each of our Senators and Representatives in Congress.

Mr. Butler offered the following resolution:

*Resolved*, That it is the sense of this House that the State of

Iowa has the power to establish by law fixed rates of passenger and freight tariffs for all railroad companies operating railway lines within the limits of the State, and that sound policy requires the immediate exercise of this power, and that a special committee of five be appointed by the Speaker of the House, is hereby authorized, with instructions to report by bill within ten days.

Mr. Stone moved that the resolution be referred to the Committee on Railroads.

Mr. Parsons moved to amend by referring to the Committee on Judiciary.

The motion did not prevail.

The resolution was referred to the Committee on Railroads.

Mr. Dudley offered the following resolution which was adopted.

*Resolved by the House,* That M. H. Dement, C. W. Hobart, A. R. Fulton, and R. A. West, present reporters for the press of the proceedings of the House, be furnished by the Secretary of State with the necessary paper, pens, pencils, and ink, for their use as such reporters.

#### MESSAGES ON THE SPEAKER'S TABLE.

The Senate resolution relative to meeting the House in Joint Convention on Wednesday the 19th instant, was taken up and concurred in.

Mr. Williams moved that when the House adjourn it will be to to-morrow morning, at 10 o'clock.

The motion prevailed.

Mr. McCoun moved the House do now adjourn. The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 19, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. A. Dinsmore.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your Honorable Body that the Senate has passed the following in which the concurrence of the House is asked :

Preamble and Joint Resolution relative to the abolition of the franking privilege.

Also, that the Senate has concurred in the House resolution relative to the appointment of a Joint Committee to investigate certain charges against Martin Heisey, Warden of the Penitentiary, with the following amendment, by striking out the words "there be a Joint Committee of three from the House and two from the Senate," and inserting the words "the committee to be appointed to visit the Penitentiary be empowered," in which the concurrence of the House is asked.

JAMES M. WEART, *Secretary*.

The Speaker announced Mr. Stewart as an additional member of the Committee on State University.

Mr. Arnold moved to take up the Governor's Message and consider it, which motion prevailed.

On motion of Mr. Arnold the House resolved itself into Committee of the Whole to consider the Governor's Message.

Mr. Arnold was called to the chair.

The Committee rose and reported through its Chairman that the Committee had appointed a committee of three, consisting of Messrs. Kasson, O'Donnell, and Huff, with instructions to prepare a resolution referring the Governor's Message to the various standing committees.

The report was concurred in.

By leave of the House Mr. Brown of Van Buren was excused from serving on investigating committee on Penitentiary.

The Speaker appointed Mr. Murdock as a member of the Committee in place of Mr. Brown.

#### PETITIONS.

Mr. Rohlfis presented a petition of the citizens of Scott county praying for a hf of sec. 12 and a hf of sec. 13, township 78, range 3, may be detached from Independent School District No. 1, in the Township of Davenport. Referred to Committee on Schools.

Mr. Cotton presented a petition of S. Beekley and F. Harshman of Lee county, in relation to roads. Referred to Committee on Roads.

Mr. Dickerson presented a petition from I. W. Pratt and other citizens of Allamakee county, asking the passage of a law for the taxation of property of Railroad Corporations. Referred to Committee on Railroads.

Mr. Mills presented a petition from Lewis A. Thomas and other citizens of Dubuque, praying the Legislature to memorialize Con-



gress for certain amendments to the Pacific Railroad Law. Referred to Committee on Federal Relations.

Mr. Harrison presented a petition of C. R. Roberts and other citizens of Bremer County, praying for the enactment of a law to regulate the rates of tariff for the transportation of freight and passengers on the Railways of this State. Referred to Committee on Railroads.

Mr. Applegate presented a petition of the citizens of Le Claire, asking the passage of a law "to make a condition precedent to voting poll-tax and road-tax shall be paid." Referred to Committee on Elections.

Mr Rogers presented a petition of the sheriff of Clinton County and twenty members of the Bar, asking the enactment of a law providing for two terms of Circuit Court a year at Wheatland. Referred to Committee on Judiciary.

Mr. Bell presented a petition of Grand Jurors of the December term, 1869, of the First Judicial District held at Ft. Madison, asking for an appropriation of one thousand dollars for buying historical and moral works for the prison library. Referred to Committee on Penitentiary.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from the Committee on Federal Relations, reported back the joint resolution ratifying the proposed fifteenth article of the constitution of the United States, and recommended its passage.

Mr. Russell moved that the resolution be adopted.

Mr. Russell moved that when the House adjourn it be until two o'clock, P. M.

The motion did not prevail.

On motion of Mr. Kasson, the House took a recess of five minutes.

Speaker called the House to order.

Mr. Lee moved that a committee of two be appointed to notify the Senate that the House was ready to meet the Senate in joint convention, in relation to the election of United States Senator, which motion prevailed.

The Speaker appointed Messrs. Lee, and Wright of Allamakee.

Mr. Lee, from the committee to notify the Senate that the House was ready to go into joint convention, reported that they had performed that duty, and were discharged.

The Sergeant-at-Arms announced the honorable Senate, who entered the Hall and took seats on the right.

#### JOINT CONVENTION.

The President called the two houses to order.

That portion of the House and Senate Journals in relation to the election of United States Senators, on Tuesday, January 18, 1870, were read and compared, whereupon it appeared that George G. Wright had received a majority of all the votes cast in both houses for United States Senator for the term of six years, commencing March 4, 1871; and that J. B. Howell had received a majority of all the votes cast in both houses for United States Senator to fill the vacancy occasioned by the resignation of Hon. James W. Grimes.

Mr. Kasson offered the following resolution, which was adopted:

*Resolved*, That George G. Wright be declared the Senator elect from the State of Iowa to the Congress of the United States, for the term commencing March 4th, 1871; and that James B. Howell be declared the Senator elect from this State to the Congress of the United States, to fill the vacancy caused by the resignation of James W. Grimes.

Mr. Cutts presented a communication from Hon. George G. Wright, and, on motion of Mr. Murdock, it was read.

Senator Mulkern moved that the convention dissolve. The motion did not prevail.

Senator Wright moved that a copy of the proceedings be forwarded to the Governor.

The motion prevailed.

Mr. Mulkern moved that the convention do now dissolve.

The motion prevailed, and the convention dissolved.

House called to order by the Speaker.

On motion of Mr. Applegate the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 20, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. A. Field.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following bills, which are returned herewith.

House File No. 7, A bill for an act fixing the times for holding the terms of the District Court in the Fourth Judicial District.

House File No. 11, A bill for an act to amend chapter 115, of the Rev. 1860, relative to drawing jurors.

Also that the Senate has concurred in the House amendment to the Senate proviso to the concurrent resolution relative to distributing the Revision of 1860, and bound copy of laws.

Also that the Senate has passed the following resolutions in which the concurrence of the House is asked :

Joint Resolution ratifying the amendment to the Constitution of the United States relative to citizens of the United States to vote.

Concurrent resolution relative to printing blanks for the use of committees of this General Assembly.

JAMES M. WEART, *Secretary*.

#### PETITIONS.

Mr. Mabin presented a petition of J. A. Eaton and 228 other citizens of Fulton township, Muscatine county, asking that railroad property be taxed. Referred to Committee on Railroads.

Mr. Stanchfield presented a petition from the Board of Supervisors of Linn county, asking a law increasing the compensation of township officers. Referred to Committee on Judiciary.

Mr. Wright, of Sac, presented a petition from the citizens of Clay and Cherokee counties, asking the passage of a law to prevent cattle from running at large. Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Huff from the Committee on Rules submitted the following report, which was adopted :

MR. SPEAKER :—Your Committee on Rules would beg leave to report that they have made a thorough examination of the rules of the House adopted at the last session, and they deem them all that is necessary for the government of this House. They would therefore respectfully recommend their adoption for the government of this House.

HENRY L. HUFF,  
JAMES M. WOOD,  
B. F. HARTSHORN,  
JOHN MAHIN,  
J. W. TRAER.

Mr. Rowell moved that the House adopt the joint rules of 12th General Assembly for the 13th General Assembly.

The motion prevailed.

Mr. Harper, from the Committee on Schools, submitted the following report:

Your Committee on Schools, to whom was referred House File No. 2, to legalize the organization of the independent school-district of Ainsworth, Washington county, herewith return the same, and recommend that it do pass.

HARPER, *Chairman*.

Your Committee on Schools to whom was referred resolution withdrawing all unsold school-land from market until first day of March next, have had the same under consideration, and recommend that it do pass immediately.

HARPER, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Rohlfs introduced House File No. 27, A bill for an act detaching the east half of Section twelve, and east half of Section thirteen, township 78, range 3, from independent school-district No. 1, in Davenport Township, Scott county, Iowa. Read first and second times and referred to Committee on Schools.

Mr. Rogers introduced House File No. 28, A bill for Abatement of taxes in the township of Clinton, Clinton county, Iowa. Read first and second times and referred to committee on Ways and Means.

Mr. Stutsman introduced House File No. 29, "An act to Prohibit Corporeal Punishment of Convicts, in the Iowa State Penitentiary. Read first and second time and referred to Committee on Penitentiary.

By leave, Mr. Jones presented a memorial of the Board of Supervisors of Polk county for authority to fund the floating county debt. Referred to the Committee on Ways and Means.

Mr. Jones also presented a memorial of Board of Supervisors of Polk county in favor of district prisons. Referred to Committee on Judiciary.

Mr. Kasson presented a memorial of the Board of Supervisors of Polk county in favor of certain improvements of the system of assessing taxes. Referred to special committee of five.

Mr. Hunter introduced House File No. 30, "A Bill for an act to legalize the acts of clerks of the Board of Supervisors in failing to attach their warrants to the tax-lists or tax-books as provided by Section 748 of the Revision of 1860." Read first and second time and referred to Committee on Judiciary.

Mr. Stutsman introduced House File No. 31, A bill for an act to amend section 2700 of chapter 111 of the Revision 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Miracle introduced House File No. 32, A bill for an act to repeal section 3 of chapter 160 of the acts of the Twelfth General Assembly, approved April 7th, 1868, relating to the keeping of the transfer books, and to revive certain portions of chapter 61 of the acts of the Eleventh General Assembly. Read first and second time and referred to Committee on Judiciary.

Mr. Pratt introduced House File No. 33, A bill for an act to cure defects in the records of deeds, mortgages and other conveyances of town lots in certain cases. Read first and second time and referred to Committee on Judiciary.

Mr. Morrison introduced House File No. 34, A bill for an act to reduce the military establishment of the State to a peace footing. Read first and second time and referred to Committee on Military Affairs.

Mr. Lee introduced House File No. 35, A bill for an act to amend section 2524 of chapter 102 of the Revision of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Irish introduced House File No. 36, A bill for an act for finishing uncompleted portions of the geological survey. Read first and second time and referred to a special committee of five.

Mr. Hartshorn introduced House File No. 37, A bill for an act to amend sections two, three, and four of chapter sixty one, of the laws of the Twelfth General Assembly, entitled an act to provide for the incorporation of towns and cities. Read first and second time and referred to the Committee on Judiciary.

Mr. Wright, of Allamakee county, introduced House File No. 38, A bill for an act for the sale of real estate for taxes. Read first and second time and referred to Committee on Ways and Means.

Mr. Lee introduced House File No. 39, A bill for an act to amend section 1763 of the Revision of 1860, entitled, An act to encourage the organization of Fire Companies. Read first and second time, and referred to Committee on Judiciary.

Mr. Tufts introduced House File No. 40, A bill for an act to amend section 2, chapter 100, laws of the Twelfth General Assembly. Read first and second time, and referred to Committee on Roads and Highways.

Mr. Butler introduced House File No. 41, A bill for an act in relation to roads and highways. Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Lacey introduced House File No. 42, A bill for an act to repeal chapter 48, of the acts of the Twelfth General Assembly. Read first and second time, and referred to Committee on Railroads.

## RESOLUTIONS.

Mr. Keables offered the following resolution, which was adopted :  
*Resolved*, That there be added to the Standing Committees of the House a committee on "*Medical Institutions*."

Mr. Harper offered the following resolution, which was adopted :  
*Resolved*, That the use of this Hall be tendered Mrs. L. Matilda Fletcher, for lecture purposes, to-morrow (Friday) evening.

Mr. Irish offered the following resolution :

*Resolved*, That the Committee on Constitutional Amendments be instructed reporting to this House a joint resolution to amend the constitution, so as to confer upon women the right to vote and hold office in Iowa.

Mr. Kasson moved to amend by inserting, "Enquire into the expediency thereof."

On the adoption of the amendment, Messrs. Irish and Rogers demanded the yeas and nays, which were as follows ;

The yeas were :

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrison, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Washington, Miller, Miracle, Morrison, Newbold, Norris, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams—71.

The nays were :

Messrs. Bell, Brown of Fayette, Campbell, Christoph, Crawford, Day, DeGroat, Dunne, Gibbons, Harrington, Hartenbower, Hirschler, Hood, Irish, Millard, Mills, Murdock, Noel, O'Donnell, Rogers, Satterthwaite, Wright of Allamakee, Wright of Sac, Mr. Speaker.—24.

Absent and not voting—.

Messrs. Conner, Miles of Wayne, Snow, Wilson, Wood.—5.

The amendment was adopted.

The resolution as amended was adopted.

On motion of Mr. Murdock the resolution relating to the withdrawing from market all the unsold school lands was taken up and adopted.

On motion of Mr. Kasson, the House took up joint resolution

relating to the ratifying of the proposed 15th article of the Constitution of the United States.

Mr. Kasson moved that the House take from the Speaker's table the Senate message relative to the amendment of the Constitution of the United States. The motion prevailed.

Mr. Russell moved to substitute the Senate resolution. The motion did not prevail.

Mr. Kasson moved the previous question, which was seconded.

The question: "Shall the main question be now put?" was decided in the affirmative.

Upon the motion to adopt the joint resolution, Messrs. Millard and Kasson demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts Warner, Wasson, Williams, Wright of Sac, Mr. Speaker—84.

The nays were—

Messrs. Bell, Christoph, Crawford, DeGroat, Dunne, Gibbons, Hirschler, Hood, Irish, Mills, O'Donnell, Wright of Allamakee.—12.

Absent or not voting—

Messrs. Conner, Hartenbower, Wilson, and Wood.—4.

So the joint resolution was adopted.

Mr. Brown of Fayette, offered the following resolution which was adopted:

*Resolved*, That James Turner be added to the present number of House messengers.

The Speaker announced the following Committee on Memorial, relative to the system of assessing taxes: Messrs. Toliver, Kasson, Hood, Evans, and Parsons. Also, a select committee for House File No. 36: Messrs. Harper, Russell, Parsons, Williams, and Toliver.

Mr. Gibbons offered the following resolution which was adopted:

*Resolved*, That one thousand copies of the Governor's Message be printed in the Swedish language, and that a sum not to exceed twenty (20) dollars be appropriated for translating the same.

Mr. Irish offered the following resolution:

*WHEREAS*, It is required by law that real property shall be assessed at its true cash value; and

WHEREAS, It is evident that such law is not regarded by the Assessors, and that both real and personal property are assessed at only one-third their value to the manifest damage of public interests; therefore

*Resolved*, That the Committee on Judiciary be instructed to prepare and present to this House a bill for an act to secure the assessment and taxation of all species of property at its full and true cash value, and providing proper regulations and penalties calculated to secure the end sought by said act.

On motion of Mr. Russell the resolution was referred to the Committee on Judiciary.

On motion of Mr. Haycock the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 21st, 1870. }

House met pursuant to adjournment.

The House was called to order by the Chief Clerk, who announced the absence of the Speaker on account of sickness of his family.

Mr. Williams moved that the House proceed to elect a Speaker *pro tem.*, and nominated Hon John Russell.

The roll was called, the following gentlemen voting for Mr. Russell:

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, De Groat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac—92.

The nays were none.

Absent or not voting—

Messrs. Conner, Irish, Marks, McCoun, Russell, Stone, Wood, and Mr. Speaker.



Mr. Russell having received a majority of all the votes cast was declared elected Speaker *pro tem*.

Prayer by Rev. Mr. Geiger.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked.

Senate File No. 33, A bill for an act making an appropriation for the payment of the mileage of the members of the Thirteenth General Assembly and the per diem of the temporary officers and employees thereof, and for postage.

Also that the Senate has concurred in the action of the House in adopting the joint rules of the last session as the Joint Rules of the two Houses for the present session.

Also that in accordance with the concurrent action of the two Houses, the Senate has appointed the following members of visiting committees on the part of the Senate.

*Penitentiary*—Senator Wright.

*Insane Asylum at Mt. Pleasant*—Senator Pierce.

*Insane Asylum at Independence*—Senator Bennett.

*Deaf and Dumb Asylum at Iowa City*—Senator Smyth.

*Deaf and Dumb Asylum at Council Bluffs*—Senator Donnan.

*Asylum for the Blind*—Senator Couch.

*Orphans' Home at Davenport*—Senator Keller.

*Orphans' Home at Cedar Falls*—Senator Grimes.

*Orphans' Home at Glenwood*—Senator Griffith.

*State University*—Senator Beardsley.

*Agricultural College*—Senator Long.

*Reform School*—Senator Chapin.

J. A. T. HULL, *First Assistant Secretary*.

The Speaker, *pro tem*, announced the standing committee on Medical Institutions as follows:—Messrs. Keables, McGavren, Miles of Washington, Stewart and Wasson.

By leave of the House, Mr. Kasson was excused from serving on committee appointed to take into consideration the memorial of the Board of Supervisors of Polk county, in relation to taxation.

The Speaker appointed Mr. Sanborn in place of Mr. Kasson.

#### PETITIONS.

Mr. Harper presented a petition from T. I. Trulock, County Superintendent of Des Moines County, asking certain amendments to the School Laws. Referred to committee on schools.

## REPORTS OF COMMITTEES.

Mr. Traer from the committee on Ways and Means submitted the following reports:

Your Committee on Ways and Means to whom was referred House File No. 5, have had the same under consideration and beg leave to report the same back with the recommendation that it do not pass.

TRAER, Chairman.

Your committee on Ways and Means to whom was referred petition of W. H. Homer, of Des Moines County, relative to amendments to the Revenue Laws, have had the same under consideration and instructed me to report the same back to the member from Des Moines County, with leave to introduce a bill on that subject.

TRAER, Chairman.

Mr. O'Donnell from the committee on the Governor's Biennial Message submitted the following report.

Your committee to whom was referred the matter of preparing and reporting a resolution referring the different subject-matters embraced in the Biennial Message of his Excellency, Governor Merrill, to the appropriate standing committees of this house, beg leave to submit the following resolution as a report of their action upon the same.

JOHN A. KASSON,  
FRED. O'DONNELL,  
HENRY L. HUFF.

Committee.

*Resolved*, 1st. That so much of the Governor's Message as relates to Finance, to the revenue laws, and the financial condition of the State, be referred to the Committee on Ways and Means.

2d. That so much as relates to schools and the Permanent School Fund, be referred to the Committee on Schools.

3d. That so much as relates to the State University, be referred to the committee upon said Institution.

4th. That so much as relates to the Insane, Blind, Deaf and Dumb Asylums, Orphans' Homes, and Agricultural College, be referred to the committees upon these institutions, respectively.

5th. That so much as relates to the State Penitentiary, be referred to the Committee on State Penitentiary.

6th. That so much as relates to the Capitol, be referred to the Committee on Public Buildings.

7th. That so much as relates to Railroads and land grants, be referred to the Committee on Railroads.

8th. That so much as relates to the Wisconsin and Fox River

Improvements and Water Communication, be referred to the Committee on Commerce.

9th. That so much as relates to the Geological Survey and Swamp Lands, be referred to the Committee on Public Lands.

10th. That so much as relates to Manufactures and Agriculture, be referred to their respective committees.

11th. That so much as relates to the Codification of the Laws, the Courts, and Criminal Code, be referred to the Committee on Judiciary.

12th. That so much as relates to a Constitutional Convention, be referred to the Committee on Constitutional Amendments.

13th. That so much as relates to the State Reform School, be referred to the committee on that institution.

14th. That so much as relates to a Normal School, be referred to the Committee on Schools.

#### INTRODUCTION OF BILLS.

Mr. Rogers introduced House File No. 43, A bill for an act to amend section 1125 of chapter 51 of the revision of 1860. Read first and second time and referred to Committee on Corporations.

Mr. Rogers introduced House File No. 44, a bill for an act to amend section 1064 of chapter 9 of the Revision of 1860. Read first and second time and referred to Committee on Corporations.

Mr. Newbold introduced House File No. 45, A bill for an act to empower school boards to force site for school-houses. Read first and second time and referred to Committee on Schools and be printed.

Mr. Hopkirk introduced House File No. 46, A bill for an act to repeal chapter 92 of the Acts of the 12th General Assembly. Read first and second time and referred to Committee on Agriculture.

Mr. Millard introduced House File No. 47, A bill for the repeal of chapter 113 of the Acts of the 12th General Assembly. Read first and second time and referred to Committee on Agriculture.

Mr. Butter introduced House File No. 48, A bill for an act to amend chapter 45, Revision of 1860. Read first and second time and referred to Committee on Roads and Highways.

Mr. Mills introduced House File No. 49, A bill for an act relating to the limitations of actions. Read first and second time and referred to Committee on Judiciary.

Mr. DeGroat introduced House File No. 50, A bill for an act to authorize the building of bridges across the Maquoketa river in Jackson county, Iowa. Read first and second time and referred to Committee on Internal Improvements.

Mr. Hunter introduced House File No. 51, A bill for an act to protect the fur trade in the State of Iowa. Read first and second time and referred to Committee on Agriculture.

Mr. Taylor introduced House File No. 52, A bill to amend certain acts defining the duties of county auditor and county treasurer. Read first and second time and referred to Committee on Judiciary.

Mr. Miles of Wayne introduced House File No. 53, A bill for an act to legalize the tax lists of Wayne county, Iowa, for the years A. D. 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, and 1868. Read first and second time and referred to Committee on Judiciary.

Mr. Ketcham introduced House File No. 54, A bill for an act to repeal section 5 chapter 100, of the acts of the 12th General Assembly. Read first and second time and referred to Committee on Roads and Highways.

Mr. Miles of Wayne introduced House File No. 55, a bill for an act to legalize the acts of the Board of Supervisors of Wayne county, Iowa, in relation to the levies of taxes for the years A. D. 1861, 1862, 1863, 1864, 1865, 1866, 1867, and 1868. Read first and second time and referred to Committee on Judiciary.

Mr. Beresheim introduced House File No. 56, A bill for an act providing for enlargement and completion of the building for a deaf and dumb asylum. Read first and second time and referred to Committee on Public Buildings and ordered to be printed.

Mr. Huff introduced House File No. 57, A bill for an act to punish verbal slander and defamation. Read first and second time and referred to Committee on Judiciary and ordered printed.

Mr. Hunter introduced House File No. 58, A bill for an act to repeal section 3 of chapter 70 of the acts of the 9th General Assembly and provide a substitute therefor. Read first and second time and referred to Committee on Agriculture.

Mr. Brown, of Van Buren, introduced House File No. 59, A bill for an act to enable the owners of wet land to reclaim them where the same can be done without affecting the lands of others. Read first and second time and referred to Committee on Agriculture, and ordered to be printed.

Mr. Wasson introduced House File No. 60, A bill for an act to amend article three, of chapter 29, of the Revision of 1860. Read first and second time, and referred to Committee on Judiciary.

Mr. Merritt introduced House File No. 61, A bill for an act to amend chapter 124 of the laws of the Eleventh General Assembly. Read first and second time, and referred to Committee on Judiciary.

Mr. Kasson introduced House File No. 62, A bill for an act to provide for the payment of postage accounts of the Thirteenth General Assembly. Read first and second time, and on motion of Mr. Kasson, the rule was suspended, the bill considered engrossed, and read a third time, and,

Upon the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac—95.

The nays were none.

Absent or not voting—

Messrs. Conner, Marks, McCoun, Wood and the Speaker.

So the bill passed and the title was agreed to.

Mr. Rowell introduced House File No. 63, A bill for an act to amend chapter 124, Revision of 1860, in relation to attachments and garnishments. Read first and second time, and referred to Committee on Judiciary, and ordered to be printed.

Mr. Stanchfield introduced House File No. 64, A bill for an act to destroy Canada thistles. Read first and second time, and referred to Committee on Agriculture.

Mr. Toliver introduced House File No. 65, A bill for an act to amend section 799 of the Revision of 1860, in relation to the semi-annual payments of county treasurers. Read first and second time and referred to Committee on County and Township organizations.

#### RESOLUTIONS.

Mr. Mahin offered the following resolution.

*Resolved*, That as the sense of this House, the property of railroad companies should be assessed and taxed in like manner as the property of individuals, according to section 2, of article 8, of the constitution.

Mr. Wasson moved that it be referred to the committee on railroads. Messrs. Irish and Mahin demanded the yeas and nays which were as follows:

The question recurring on the motion to concur by a rising vote, it was adopted.

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bonewitz, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dudley, Dumont, Elbert, Faville, Gibbons, Green, Hartshorn, Hay-

cock, Hopkins, Huff, Hunter, Jones, Kasson, Lacey, Lommen, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Swan, Taylor, Traer, Tufts, Warner, Wasson, Williams—53.

The nays were :—

Messrs. Beatty, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Christoph, Crawford, Dickerson, Dunne, Durham, Evans, Harper, Harrington, Harrison, Hartenbower, Hirschler, Hobson, Hood, Hopkirk, Irish, Keables, Ketcham, Lee, Mahin, Merritt, Mills, O'Donnell, Rosser, Sanborn, Sater, Snow, Stewart, Tait, Toliver, Wright of Allamakee, Wright of Sac.—39.

Absent or not voting.

Messrs. Conner, Marks, McConn, Morrison, Wilson, Wood, and Mr. Speaker.

The motion to refer prevailed.

On motion of Mr. Dudley the Railroad Committee were instructed to report on Mr. Mahin's resolution on Monday morning.

Mr. Dumont offered the following resolution :

*Resolved*, That M. M. Grannis be appointed to take charge of the regulation of heat and ventilation of this hall.

Mr. Applegate moved to refer the resolution to a committee of three with instructions to report, which did not prevail.

Mr. Dudley moved to amend by striking out the name of Mr. Grannis and inserting the sergeant-at arms. The motion did not prevail.

Upon the adoption of the resolution Messrs. Cutts and Morrison demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carver, Crawford, Day, Dickerson, Dumont, Dunne, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Lacey, Lee, Lommen, McGavren, Merritt, Miles of Washington, Miles of Wayne, Miller, Mills, Miracle, Murdock, Newbold, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Sanborn, Snow, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Toliver, Traer, Warner, Wasson, Williams, Wright of Sac.—65.

The nays were—

Messrs. Applegate, Ball, Brown of Van Buren, Carpenter, Christoph, Cutts, De Groat, Dudley, Durham, Elbert, Haycock, Hopkirk, Keables, Ketcham, Mahin, Millard, Morrison, Noel, Norria, Rosser, Russell, Sater, Satterthwaite, Spencer, Stutsman, Teale, Tufts, Wright of Allamakee.—28.

Absent or not voting—

Messrs. Connor, Evans, Marks, McCoun, Wilson, Wood, and Mr. Speaker.—7.

So the motion prevailed.

Mr. Sanborn offered the following resolution, which was adopted :

*Resolved*, That the Secretary of State be requested to furnish C. J. Reed, the regular reporter for the Dubuque Daily Times, with pens, pencils, ink, and paper and envelopes sufficient for his use as reporter in this House.

Mr. Dudley offered the following resolution, which was adopted.

*Resolved*, By the House, the Senate concurring, that the postmaster and assistant postmaster be allowed the number of daily papers allowed to the other officers of the House, and one dollar and fifty cents postage per week.

Mr. Hood offered the following resolution.

*Resolved*, by the General Assembly of the State of Iowa, That Senators in Congress be instructed and Representatives requested to use their influence to procure a daily mail route from Atlantic City, Iowa, via. Red Oak Junction, to Hamburg, Iowa.

On motion of Mr. Dudley, the resolution was referred to the Committee on Federal Relations.

Mr. Carver offered the following resolution, which was adopted :

*Resolved*, That the committee on schools be instructed to enquire what additional legislation, if any is needed, in order that poor children, and especially the inmates of county poor houses and other charitable institutions shall receive proper facilities for education, and report by bill or otherwise.

Mr. Hartshorn offered the following resolution, which was referred to the Committee on Federal Relations.

*Resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be instructed, and our Representatives requested to use their efforts to procure a daily mail route from Ackley, Iowa, via. Hampton, Chapin, Linn Grove, Mason City, Lime Creek, Glenmary, Northwood, to Albert Lee, Minnesota. Also a tri-weekly mail route from Concord in Hancock county, Iowa, via. Ellington, Forest City, Benson Grove, Lake Mills, to Albert Lee, Minnesota.

Mr. Miles of Wayne offered the following resolution, which was adopted.

*Resolved by the General Assembly of Iowa*, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure the passage of a law granting a pension to *all* honorably discharged soldiers of the war of 1812, equal to that granted to totally disabled soldiers.

*Resolved*, That the Secretary of State be directed to forward to each of our Senators and Representatives in Congress a copy of this resolution.

Leave of absence were granted until Tuesday next to Messrs.

Stewart, Harrison, Traer, Hopkins, Dudley, Miles of Washington, Warner, Wright of Sac, Wasson, Hunter, Huff, and Day.

MESSAGES ON SPEAKER'S TABLE.

The resolution on the matter of Martin Heisey, Warden of the Penitentiary, was taken up and the Senate amendment concurred in, referring the investigation to the standing instead of a select committee.

The preamble and joint resolution in relation to franking privilege was taken up.

Mr. Beatty moved that the House concur by a rising vote.

Mr. Murdock moved to refer to Committee on Federal relations, which motion did not prevail.

The question recurring on the motion to concur by a rising vote, it was adopted.

The Senate resolution relating to publishing blanks for the chairman of committees was taken up.

Mr. Lacey moved to lay the resolution on the table.

The motion did not prevail.

The resolution was adopted.

Senate File No. 33, A bill for an act to provide for the mileage of members of the 13th General Assembly, and *per diem* of temporary officers and employees thereof, and for postage, was read first and second time, and, on motion of Mr. Rowell, the rule was suspended and bill read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wood, Wright of Allamakee, Wright of Sac.—94.

The nays were, none.

Absent or not voting—

Messrs. Conner, Evans, Marks, McCoun, Wilson, and Mr. Speaker.—6.



The bill passed and the title was agreed to.

Mr. Cutts moved to reconsider the vote by which House File No. 62 passed the House.

The motion prevailed.

On motion of Mr. Cutts, the motion by which the bill was ordered engrossed and read a third time was reconsidered.

Mr. Cutts moved to lay the bill on the table.

The motion prevailed.

Mr. Irish moved that when this House adjourn it be till Monday morning at 10 o'clock.

The motion prevailed.

On motion of Mr. Irish, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 24th, 1870. }

House met pursuant to adjournment.

Speaker *pro tem.* in the chair.

Prayer, by Rev. A. I. Hobbs.

Journal of Friday read and approved.

MESSAGE FROM THE SENATE.

The following Message was received from the Senate :

MR. SPEAKER :—I am directed to inform your Honorable body that the Senate has passed the following Resolution in which the concurrence of the House is asked :

*Resolved by the Senate, the House of Representatives concurring,* That the committees visiting the public institutions be allowed only their per diem and actual expenses, (cash paid out) as per bill rendered.

Also that the Senate has passed the House concurrent resolution in relation to the withdrawal of unsold school-lands from market.

Also that the Senate refuses to concur in house Joint Resolution ratifying the proposed fifteenth article of the Constitution of the United States.

I herewith return to the Honorable House the copy of a concurrent resolution of Congress, entitled "A resolution proposing an amendment to the Constitution of the United States."

J. A. T. HULL, *First Assistant Secretary.*

The Speaker *pro tem.* announced the following committee to visit the Penitentiary to be Messrs. Brown of Fayette and Murdock.

Leave of absence was granted to Messrs McCoun for five days, Williams and Dunne for one week, and Crawford until Tuesday morning.

## PETITIONS.

Mr. Hopkirk presented a petition from John Huston and other citizens of Jefferson county, asking the passage of a law to tax the property of railroad corporations. Referred to Committee on Railroads.

Mr. Noel presented a petition from J. C. Michener and other citizens of Dallas county, asking for an act to compel owners of mill dams to construct or add shoots or fish stairs thereto. Referred to Committee on Agriculture.

Mr. Dunham presented a petition from M. Cain and other citizens of Marion county, asking a law compelling owners of mill dams to construct "shutes," or passages for fish.

Referred to Committee on Agriculture.

## REPORTS OF COMMITTEES

Mr. Rowell from the Committee on the Judiciary submitted the following report :

The Judiciary committee to whom was referred House File, No. 39, A bill for an act to amend section 1763 of the Revision of 1860. Entitled an act to encourage the organization of Fire Companies, have directed the chairman to report the same back to this house with a recommendation that it do pass.

N. W. ROWELL, Chairman.

The Judiciary committee to whom was referred House File No. 35, A bill to amend section 2524 of chapter 102, of the Revision of 1860, direct that the same be reported back to the house with a recommendation that it do not pass.

N. W. ROWELL, Chairman.

**MR. SPEAKER.** The Judiciary Committee have had under consideration House File, No. 33. A Bill for an act to cure defects in the records of deeds, mortgages, etc, and I am directed to report the same back to the House and recommend its passage with these amendments.

Insert between the second and third line of Section one of said bill the following "Deeds and Mortgages and other conveyances heretofore made in."

Strike out the words "*Town lots*" in the sixth and twelfth line of said section and instead thereof, insert the words "*Real Estate*."

N. W. ROWELL, Chairman.

MR. SPEAKER, The Judiciary Committee to whom was referred House File, No. 32 a bill for an act to repeal section 3, chapter 160, acts of the Twelfth General Assembly and revive part of chapter 61 of the Eleventh General Assembly, have directed me to return said bill to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER, The Judiciary Committee to whom was referred House File, No. 31, A bill for an act to amend section 2700 of Chapter 111 of the Revision of 1860 have instructed me to report the same with the recommendation that the bill do pass.

N. W. ROWELL, *Chairman.*

We, the Judiciary Committee, to whom was referred House File No. 26, would respectfully report that we have examined the same and find that said act is necessary, but that we are of the opinion that it would be best to repeal the entire section No. 722, do reenact the same with the modification proposed in said bill. We therefore return the same with a substitute therefor, and recommend that said substitute do pass.

N. W. ROWELL, *Chairman.*

The Judiciary Committee to whom was referred House File No. 21, A bill for an act to prevent malicious prosecutions, have had the same under advisement, and have directed their chairman to report the same back to this house and recommend that it do not pass. That it is the opinion of your committee that the passage of said bill would be the means of clogging the wheels of justice, and prevent many criminals from being compelled to answer for his crimes.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—The Judiciary Committee to whom was referred House File No. 9, A bill for an act for the suppression of dental quackery, direct the chairman to return the same to this house and recommend that said bill be referred to the Committee on Medical Institutions.

N. W. ROWELL, *Chairman.*

Mr Spencer, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee to whom was referred House File No. 4, entitled An act to repeal chapter 45 of Twelfth General Assembly, and chapter 135 of the Eleventh General Assembly, respectfully report that they have had the same under consideration, and recommend that it do not pass.

B. SPENCER, *Chairman pro tem.*

MR. SPEAKER—Your committee to whom was referred House File No. 46, entitled An act to repeal chapter 92 of the acts of the Twelfth General Assembly, respectfully report that they had the same under consideration, and recommend that it do not pass.

B. SPENCER, *Chairman pro tem.*

Mr. Harper, from Special Committee, submitted the following report.

Your Special Committee to whom was referred House File No. 36, for an act providing for finishing uncompleted portions of the work of the State Geological Survey, and for publishing the report of the State Geologist, have had the same under consideration and have instructed me to report the accompanying Bill as a substitute, and recommend that it be printed.

WM. HARPER, *Chairman.*

House File No. 66, as a substitute for House File No. 36, A bill for an act providing for finishing uncompleted portions of the work of the State Geological Survey, and publishing the report of Geological Survey. Ordered printed.

#### INTRODUCTION OF BILLS.

Mr. Arnold introduced House File No. 67, A bill for an act to amend Section 3293 of Chapter 125, of the Revision of 1860. Read first and second time, and referred to Committee on Judiciary.

Mr. Elbert introduced House File No. 68, A bill for an act to amend Section 303 of the Revision of 1860, in relation to the number and manner of election of the County Board of Supervisors. Read first and second time, and referred to Committee on County and Township Organizations, and ordered to be printed.

Mr. Sanborn introduced House File No. 69, A bill for an act to amend Chapter 64 of the Revision of 1860. Read first and second time, and referred to Committee on the Suppression of Intemperance, and ordered printed.

Mr. McGavren introduced House File No. 70, A bill for an act to provide for the collection of school-house tax and tax for library in the Independent School-District of Missouri Valley, in Harrison county, Iowa. Read first and second time, and referred to Committee on Schools.

Mr. Mills introduced House File No. 71, A bill for an act to amend Chapter 159 of the Revision of 1860, and to provide for the taking of depositions of witnesses out of the State without commission. Read first and second time, and referred to Committee on Judiciary, and ordered to be printed.

Mr. Elbert introduced House File No. 72, A bill for an act to amend Section 2, of Chapter 76, of the Laws of the Twelfth Gen-

eral Assembly, in relation to poll-tax. Read first and second time, and referred to Committee on Roads and Highways.

Mr. Statsman introduced House File No. 73, A bill for an act to provide for the dividing of the counties into Supervisor's Districts, and changing the number and manner of selecting County Supervisors. Read first and second time, and referred to Committee on County and Township Organization, and ordered to be printed.

Mr. Hirschler introduced House File No. 74, A bill for an act to legalize the acts of John S. Gilmore, a Justice of the Peace of Franklin township, Lee county, Iowa. Read first and second time, and referred to Committee on Judiciary.

Mr. Lacey introduced House File No. 75, A bill for an act granting to school-districts and independent school-districts, land for school-house purposes. Read first and second time, and referred to Committee on Schools, and ordered to be printed.

Mr. Applegate introduced House File No. 76, A bill for an act to amend chapter 137, Laws of the 12th General Assembly. Read first and second time and referred to the Committee on County and Township Organization and ordered to be printed.

Mr. Dunne introduced House File No. 77, A bill for an act fixing the boundary which each organized township is required to keep and repair all roads established upon township lines. Read first and second time and referred to Committee on Roads and Highways, and ordered to be printed.

Mr. Rosser introduced House File No. 78, A bill for an act to make railroad corporations liable for live stock killed or injured on their lines. Read first and second time and referred to Committee on Railroads.

Mr. Green introduced House File No. 79, A bill for an act for the more effectual prevention of cruelty to animals. Read first and second time and referred to a special committee of five, and ordered to be printed.

Mr. McGavren introduced House File No. 80, A bill for an act to legalize the organization of the Independent School District of Dunlap, county of Harrison, Iowa. Read first and second time and referred to Committee on Schools, with instruction to report by Wednesday.

Mr. Rogers introduced House File No. 81, A bill for an act to provide for holding two terms of the Circuit Court annually at Wheatland, Clinton county, Iowa. Read first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS.

Mr. Day offered the following resolution which was referred to the Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa, That*

our Senators in Congress be instructed and our Representatives requested to use their efforts to procure such a change in the mail route from the town of Dakota, in Humboldt county, Iowa, to Emmet postoffice in Emmet county, Iowa, so that the same shall run from said town of Dakota to the town of Spirit Lake, in Dickinson county, Iowa, via the town of Estherville in Emmet county; and such a change in the route from the town of Jackson in Jackson county, Minnesota, to Emmet postoffice in Emmet county, Iowa, so that the same shall run from said town of Jackson to the town of Estherville, Emmet county, Iowa, and to procure upon each of said routes when so established a daily mail service.

*And be it further resolved,* That the Secretary of State be and he is hereby instructed to transmit to each of our Senators and Representatives in Congress a copy of this resolution.

Mr. Applegate offered the following resolution which was referred to the Committee on Federal Relations:

*Resolved,* That our Senators in Congress be instructed, and that our Representatives be requested to use their influence to procure a daily mail route from Port Byron, in the State of Illinois, to Leclaire, in the State of Iowa, said route being across the Mississippi river, and less than one mile in length.

Leave was granted Mr. Bell to present a memorial in relation to taxing railroad companies, which was referred to the Committee on Railroads.

#### MESSAGES ON SPEAKER'S TABLE.

The resolution in relation to the visiting committee to the Iowa Penitentiary, to the effect that said committee be allowed only their actual traveling expenses and *per diem* was concurred in.

The joint Resolution in relation to the fifteenth article of the Constitution of the United States was taken up. On motion of Mr. Kasson, the House refused to concur and asked a committee of conference.

The Speaker appointed Messrs. Kasson, Mahin, and Stone, as committee on part of the House.

#### BILLS ON SECOND READING.

House File No. 2 was taken up and read a second time. On motion of Mr. Rowell, the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Beatty, Beresheim, Bonewitz, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Day, De Groat, Dickerson, Dumont, Durham, Elbert,

Evans, Faville, Green, Harper, Harrington, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkirk, Huff, Irish, Jones, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Warner, Wilson, Wright of Allamakee.

—71.

The nays were—none.

Absent or not voting—

Messrs. Ball, Brown of Van Buren, Cristoph, Conner, Crawford, Cutts, Dudley, Dunne, Gibbons, Harrison, Hartenbower, Hopkins, Hunter, Kasson, Keables, Marks, McCoun, Miles of Washington, Satterthwaite, Snow, Stanchfield, Stewart, Toliver, Traer, Wasson, Williams, Wood, Wright of Sac and Mr. Speaker.—29.

So the bill passed and the title was agreed to.

The Chair announced Messrs. Rohlf, Arnold, Hopkirk, Norris, and Pratt as the Special Committee on the bill preventing Cruelty to Animals.

House File No. 5 was taken up.

On motion of Mr. Wilson, the bill was laid on the table.

On motion of Mr. Applegate, the rule was suspended, and House File No. 4 was taken up and considered.

Mr. Applegate moved that the bill be re-committed, which was lost.

On motion of Mr. Rosser, the bill was laid on the table.

The committee to whom the resolution in relation to the taxing of property belonging to railroads was referred, were granted until Thursday morning, ten o'clock, to make their report.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

The Committee on Enrolled Bills beg leave to report that they have examined the Joint Resolution in regard to the School Lands of the State of Iowa, and find the same correctly enrolled.

TOLIVER, *Chairman.*

On motion of Mr. Millard, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
January 25, 1870. }

House met pursuant to adjournment.

Speaker *pro tem* in the chair.

Prayer, by Rev. C. B. Jones.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Hopkirk presented a petition from the citizens of Jefferson county, asking that the property of railroads be taxed. Referred to Committee on Railroads.

Mr. Bundy presented a petition of Elijah Elliott, and others, asking that railroad property be taxed. Referred to Committee on Railroads.

Mr. Harrington presented a petition from citizens of Bremer county, Iowa, which was read and ordered to be spread on the journal.

#### MEMORIAL.

*To the Legislature of the State of Iowa :*

The undersigned citizens of the State of Iowa, beg leave most respectfully, but earnestly, to represent, that we are engaged in connection with the mass of the citizens of this commonwealth, in that pursuit which is the basis of civilized society—an occupation upon which all classes in civilized life depend, even for existence ; that to the labors of the agriculturalist, as much as to any other, the State is indebted for its present wealth and prosperity ; that we are taxed to defray the expenses of the government of the State in which, we have made our homes, expecting and desiring that our rights and privileges, in common with every other class of citizens, would be acknowledged and protected by the laws of this commonwealth ; that we are justly entitled to the same rights and privileges which any other class of citizens may enjoy ; and that as individuals we are entitled to the same exemptions as any other class of individuals, or combination of individuals.

And we would further most respectfully represent that certain combinations of individuals, known as railroad companies, not being satisfied with grants of millions of acres of Iowa soil from the general government, and the right of way through the lands of citizen farmers, but have induced the people of many towns and counties throughout our State to subscribe liberally and to tax themselves heavily for the benefit of such companies, but they have also, by



their agents and emissaries, induced the legislature of this State, in past years, to grant them special privileges and exemptions derogatory to the principles of equality and republicanism, upon which government is established—exempting the property of such companies from taxation; not only their rolling stock, but their roads and the buildings appertaining thereto, while every other kind of property is taxed whether owned by individuals or companies, and permitting said companies to enter into combination with another association of individual styling themselves “Board of Trade,” by which the farmer is allowed no opportunity to protect himself from the rapacity of the latter by shipping his own productions on his own responsibility.

And we would further represent that, as farmers and citizens of this commonwealth, we are desirous of no special privileges and immunities above any other class of citizens and ask only equal and exact justice to all; that every principle of equality and justice is violated so long as the property of railroad companies is exempt from taxation and they are allowed to enter into combinations with other speculators in agricultural products by which farmers are not allowed to market their own products, but those products must pass through the hands of the speculators who stand between the producer and consumer and amass fortunes by injustice to both parties.

We do, therefore, request and petition your Honorable body to make the property of all railroad companies in this State taxable equally with other kinds of property, according to value; to fix the price of fare and freight on all such railroads; and to prohibit all combinations that prevent all classes of citizens from equally enjoying the right to freight cars on such railroads with produce and commodities without said produce and commodities passing unnecessarily through the hands of others at additional expense to the owner or owners thereof;

And your memorialists would further respectfully but most earnestly represent that under the present state of things, the agriculturalists of this State—not yet reduced to a condition to strictly submit to known injustice—never can and never will rest satisfied.

DECEMBER 27, 1869.

Mr. Mills presented a petition from the citizens of Dubuque in relation to the Medical Department of the State University. Referred to Committee on Medical Institutions.

Mr. Wright of Sac presented a petition from the citizens of Sac county, asking the passage of a law preventing stock of any kind from running at large. Referred to Committee on Agriculture.

Mr. Rohlf presented a petition from the citizens of Scott county, asking the passage of a law preventing stock of all kinds from running at large. Referred to Committee on Agriculture.

Mr. Sanborn presented a petition of 175 citizens of Delaware

county, asking that a law be passed regulating charges for freight on railroads. Referred to Committee on Railroads.

Mr. Hartshorn presented a petition of the citizens of Hancock county praying for the enactment of a law preventing stock from running at large. Referred to Committee on Agriculture.

Mr. Wilson presented a petition from the citizens of Tama county, asking the enactment of a law to prevent stock from running at large. Referred to Committee on Agriculture.

Mr. Ball presented a petition of the citizens of Libertyville, Jefferson county, denouncing the supervisor system as a sublime "humbug," and asking that it be abolished. Referred to Committee on County and Township Organization.

Mr. Rowell presented a memorial praying for the passage of a law compelling the father of an illegitimate child to provide for and recognize such offspring as his legitimate heir. Referred to Committee on Reform Schools.

#### REPORT OF COMMITTEES.

Mr. Toliver from the Committee on Enrolled bills, submitted the following report :

MR. SPEAKER: The Committee on Enrolled Bills beg leave to report that they have examined House File No. 7, and House File No. 11, and find the same to be correctly enrolled.

G. S. TOLIVER, *Chairman.*

Mr. Dudley, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your Committee to whom was referred the claim of John Miller, of Vinton, for a cow that fell and broke her leg while being driven off the grounds of the Institution for the Education of the Blind, have instructed me to report the same back, and recommend that the claim be not allowed, and for reasons that the State is not liable for the negligence of the officers or employees of her charitable institutions. All of which is respectfully submitted.

C. DUDLEY, *Chairman.*

Mr. Cutts, from the Committee on Railroads, submitted the following report :

MR. SPEAKER:—The Committee on Railroads, to whom was referred House File No. 42, A bill for an act to repeal Chapter 48 of the acts of the Twelfth General Assembly, have had the same under consideration, and direct me to report the same back to the House, with the recommendation that it be passed.

CUTTS, *Chairman.*

Mr. Rowell, from the Committee on Judiciary, submitted the following report ;

MR. SPEAKER :—The Judiciary Committee, to whom was referred House File No. 25, A bill for an act establishing Boards of County Commissioners, direct me to return said bill to the House, and recommend that the same be referred to the Committee on Township and County Organization.

N. W. ROWELL, *Chairman.*

The Judiciary Committee, to whom was referred House File No. 52, A bill for an act defining the duties of County Auditors and County Treasurers, have directed their chairman to report the same back to the House, with the recommendation that the same do not pass.

N. W. ROWELL, *Chairman.*

The Judiciary Committee, to whom was referred House File No. 53, A bill to legalize the tax-list of Wayne county, Iowa, for the years 1860 to 1868, inclusive, herewith return said bill, and recommend that said bill pass, with the following amendment: Add to section one of said bill the following, to-wit: Provided nothing herein shall affect the validity of tax sales heretofore made.

N. W. ROWELL, *Chairman.*

The Judiciary Committee, to whom was referred House File No. 55, A bill to legalize the acts of the Board of Supervisors of Wayne county, Iowa, in relation to the levies of tax for the years 1861 to 1868, inclusive, return said bill and recommend that said bill do pass, with the following amendment: Add to section one of said bill the following, to-wit: Provided nothing herein shall affect the validity of tax-sales heretofore made.

N. W. ROWELL, *Chairman.*

The Judiciary Committee, to whom was referred House File No. 60, have had the same under advisement, and I am directed to report the same back to the House, with a recommendation that said bill do pass.

N. W. ROWELL, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Durham introduced House File No. 82, A bill for an act to repeal certain sections in chapter 92 of the Laws of the Twelfth General Assembly. Read first and second time and referred to Committee on Agriculture.

Mr. Haycock introduced House File No. 83, A bill for an act

to compel the observance of the Sabbath. Read first and second time and referred to Committee on Police Regulations.

Mr. Mahin introduced House File No. 21, A bill for an act to provide for the election of a Police Judge, and the establishment of a Police Court, in cities acting under special charters. Read first and second time and referred to Committee on Judiciary.

Mr. Stanchfield introduced House file No. 85, A bill for an act to amend section 4881 of chapter 218, of the Revision of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. O'Donnell introduced House File No. 86, A bill for an act to amend section 3112 of the Revision of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Ketcham introduced House File No. 87, A bill to repeal section 3 of chapter 160, of the acts of the Twelfth General Assembly. Read first and second time and referred to Committee on County and Township Organization.

Mr. Tait introduced House File No. 88, A bill for an act establishing a Board of County Commissioners, and prescribing their duties. Read first and second time, and referred to Committee on County and Township Organization, and ordered to be printed.

Mr. Faville introduced House File No. 89, A bill for an act for the appointment of Court Reporters. Read first and second time, and referred to Committee on Judiciary.

Mr. Harper introduced House File No. 90, A bill for an act to amend the School Laws of Iowa. Read first and second time, and referred to Committee on Schools, and ordered to be printed.

Mr. Miller introduced House File No. 91, A bill for the encouragement of hedging. Read first and second time, and referred to Committee on Agriculture.

Mr. Day introduced House File No. 92, A bill for an act to increase the compensation of certain officers. Read first and second time, and referred to Committee on Compensation of Public Officers.

Mr. Harper introduced House File No. 93, A bill for an act to amend chapter 172 of the acts of the Ninth General Assembly, relating to schools. Read first and second time, and referred to Committee on Schools.

Mr. Hartshorn introduced House File No. 94, A bill for an act to amend section 4538 of the Revision of 1860, in relation to clerk's certificates. Read first and second time, and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Mahin offered the following resolution, which was adopted:  
*Resolved*, That the Postmaster of this General Assembly be

instructed to take receipts from members and officers for postage stamps, when the stamps are delivered.

Mr. Irish offered the following resolution, which was adopted:

*Resolved by the House of Representatives in the name of the people,* That there is hereby expressed to Gov. Samuel Merrill, upon the expiration of his first term, the public appreciation of the ability, honesty, and efficiency of his administration of the affairs of this Commonwealth.

Mr. Harper offered the following resolution, which was referred to the Committee on Printing:

*Resolved,* That the Clerk of the House be and is hereby directed to order for the use of each member twenty-five (25) copies of the Des Moines Bulletin's Legislative Supplement in single wrappers, ready for mailing, provided the cost of the same will not exceed two (2) cents a day for each copy ordered, for the same time that per diem pay is allowed to members; and *Provided further,* That a full phonographic report of the proceedings of the Thirteenth General Assembly, from the commencement to the close of its sessions, are published in it.

Mr. Dumont offered the following resolution, which was referred to the Committee on Federal Relations:

WHEREAS, The mail-route route running from Maysville, Franklin county, and ending at Union Ridge, Butler county, by way of Geneva; and the mail route running from Waverly, Bremer county, by way of Shellrock, Butler Center, Clarksville, and ending at Boylin's Grove, Butler county—making a disconnected link of mail communication of only six miles on the main travelled county road from Hampton to Waverly; therefore,

*Be it resolved, by the General Assembly of the State of Iowa,* That our Senators in Congress be and are hereby instructed, and requested to use their influence to secure the continuation of the mail-route now running from Waverly, Bremer county, by way of Shellrock, Butler Center, Clarksville, and now ending at Boylin's Grove, Butler county, to Union Ridge, Butler county, and on to Hampton, the county seat of Franklin county; and that there be no change made in the location of the offices at Boylin's Grove and Union Ridge.

Mr. Faville offered the following resolution which was adopted:

*Resolved,* That the postmaster of this General Assembly be instructed to keep the post-office open Sundays from 9 till 10 o'clock A. M., and from 1 till 2 o'clock P. M.

Mr. Carver offered the following resolution which was adopted:

*Resolved,* That the committee on schools be and they are hereby instructed to inquire into the propriety of so amending the school laws of Iowa, as to require each and every parent or guardian to send the children in their charge to school at least three months each year for at least ten years during their minority.

Mr. Mahin offered the following resolution.

*Resolved*, That a committee, of seven members of this House be appointed on City and County Railroad Bond Indebtedness, instructed to report by bill or otherwise for relief of cities and counties so involved; to which committee all questions coming before this House touching such bonds may be referred.

Mr. Stutsman moved the previous question, which was seconded. On the question "shall the main question be now put?" Messrs. Irish and Stanchfield demanded the yeas and nays, which were as follows.

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, Elbert, Evans, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Irish, Jones, Kasson, Ketcham, Lee, Mahin, McGavren, Merritt, Mills, Miracle, Morrison, Murdock, Newbold, O'Donnell, Parsons, Pratt, Rogers, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stewart, Stone, Tait, Taylor, Teale, Toliver, Tufts, Wilson.—57.

The nays were.—

Messrs. Brown of Van Buren, DeGroat, Dickerson, Dudley, Dumont, Durham, Faville, Green, Hartenbower, Hopkirk, Huff, Hunter, Keables, Lacey, Lommen, Miles of Wayne, Millard, Miller, Noel, Norris, Rohlf, Rosser, Rowell, Stanchfield, Stutsman, Warner, Wright of Allamakee, Wright of Sac—31.

Absent or not voting—

Messrs. Conner, Dunne, Gibbons, McCoun, Miles of Washington, Snow, Swan, Traer, Wasson, Williams, Wood, and Mr. Speaker.—12  
So the resolution was adopted.

Leave was granted Mr. Murdock to present a memorial from the Iowa State Historical Society, which was referred to committee on Horticulture.

#### BILLS ON SECOND READING.

House File, No. 35, A bill for an act to amend Section 2524 of Chapter 102 of the Revision of 1860, was taken up.

On motion of Mr. Hopkirk the bill was laid on the table.

House File, No. 33, A bill for an act to cure defects in the records of deeds, mortgages, and other conveyances of town lots in certain cases, was taken up and the amendment recommended by the committee concurred in.

On motion of Mr. Cutts the publication clause was stricken out, and the bill ordered to be engrossed and read a third time to-morrow.

House File, No. 39. A bill for an act to amend Section 1763 of the Revision of 1860, entitled an act to encourage the organization of Fire Companies, was taken up and ordered engrossed and read a third time, to-morrow.

House File, No. 31. A bill for an act to amend Section 2700 of Chapter 111 of the Revision of 1860, was taken up and ordered to be engrossed and read a third time, to-morrow.

House File, No. 26. A bill for an act to repeal Section 722 of the Revision of 1860, to prevent fraud in assessments, it was taken up with the accompanying substitute, the substitute was adopted and the bill ordered to be engrossed and read a third time, to-morrow.

On motion of Mr Haycock, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 26th, 1870. }

House met pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. J. V. Schofield.

Journal of yesterday read and approved.

The Speaker announced the Committee on City and County Railroad Bond Indebtedness to be Messrs. Mahin, Harrison, Hirschler, Newbold, Taylor, McGavren, and Hobson.

MESSAGE FROM THE SENATE.

The following Message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following Resolution in which the concurrence of the House is asked :

Resolutions in relation to John C. Abercrombie of Des Moines county.

Also to return herewith, House File No. 2, A bill for an act to legalize the organization of the independent school-district of Ainsworth, Washington county, which has passed the Senate without amendment.

Also that the Senate has appointed Senators Donnan, McKean, and McNutt, a committee on the part of the Senate on the disagreeing votes of the two Houses on the proposed fifteenth amendment to the Constitution of the United States.

JAMES M. WEART, *Secretary*.

The Speaker announced the following visiting committees—members from the House :

*Orphans' Home at Cedar Falls*—Russell and Faville.

*Orphans' Home at Davenport*—Satterthwaite and Merritt.

*Orphans' Home at Glenwood*—Butler and Lacey.

*State University*—Stanchfield and Dudley.

*Agricultural College Farm*—Wilson and Wright of Allamakee.

*Insane Asylum at Mt. Pleasant*—Miles of Washington and Ketcham.

*Insane Asylum at Independence*—Sanborn and Carpenter.

*Deaf and Dumb Asylum at Iowa City*—Brown of Van Buren and Miller.

*Deaf and Dumb Asylum at Council Bluffs*—Rohlf's and Teale.

*Asylum for the Blind*—Morrison and Crawford.

*Reform School*—Norris and Stutsman.

*Penitentiary*—Brown of Fayette and Murdock.

#### PETITIONS.

Mr. Mahin presented the petition of Geo. W. Hunt and sixty-eight other citizens of Moscow, praying for taxation of railroad property the same as other property. Referred to Committee on Railroads.

Mr. Keables presented a petition of Geo. M. Hammond and other citizens, praying for the creation of a new county out of the counties of Marion, Jasper, and Mahaska. Referred to Committee on County and Township Organizations.

Mr. Rohlf's presented a petition from H. M. Thompson and others, for a more effective drainage law. Referred to Committee on Agriculture.

Mr. Rohlf's presented a remonstrance from citizens' independent school-district No. 1, Davenport township, against the division of said district. Referred to Committee on Schools.

Mr. Butler presented a petition of the citizens of Page county, asking that railroad property be taxed. Referred to Committee on Railroads.

Mr. Gibbons presented a memorial from the City Council of Keokuk, praying that railroad property be taxed. Referred to Committee on Railroads.

Mr. Christoph presented a petition of the citizens of Dubuque county, praying for a change in the law in relation to the election of Road Supervisors. Referred to the Committee on Roads and Highways.

Mr. Hopkirk presented a petition from Andrew Grantz, and other citizens, asking that section 4, chapter 61, of the Eleventh General Assembly be re-enacted. Referred to Committee on Judiciary.

Mr. Ball presented a petition of 300 citizens of Jefferson county, in relation to hedges. Referred to Committee on Roads and Highways.



## REPORTS OF COMMITTEES.

Mr. Mahin reported back the resolution in relation to taking twenty-five copies of the Des Moines Bulletin's Legislative Supplement, without recommendation.

Mr. Applegate moved to amend the resolution, by striking out twenty-five and inserting ten dailies.

Mr. Bundy moved that the resolution be laid on the table, which prevailed.

## INTRODUCTION OF BILLS.

Mr. Huff introduced House File No. 95, A bill for an act to protect the people of Iowa from empiricism and imposition in the practice of medicine and surgery. Read first and second time, and referred to the Medical Committee, and ordered to be printed.

Mr. Warner introduced House File No. 96, A bill for an act to repeal chapter 127 of the acts of the Eleventh General Assembly. Read first and second time, and referred to Committee on Roads and Highways.

Mr. Gibbons introduced House File No. 97, A bill for an act to erect a monument to the deceased soldiers in the cemetery at Keokuk, Iowa. Read first and second time.

Mr. Dndley moved to amend, by striking out Keokuk, and inserting Des Moines.

On motion of Mr. Rowell, the bill was referred to the Committee on Military Affairs.

Mr. Sater introduced House File No. 98, A bill for an act for the draining of lands. Read first and second time, and referred to Committee on Agriculture.

Mr. Harper moved that it be ordered printed, which did not prevail.

Mr. Huff, by leave, introduced House File No. 99, A bill for an act to repeal chapter 22 of the acts of the Twelfth General Assembly, and revive and re-enact the last paragraph of section 1, chapter 45, of the acts of the Eleventh General Assembly, fixing the time of holding District Court in Hardin county. Read first and second time and referred to Committee on Judiciary.

## RESOLUTIONS.

Mr. O'Donnell offered the following resolution which was adopted:

*Resolved*, That Dr. Charles A. White, State Geologist of Iowa, be invited to deliver a lecture before this House upon the geology of the State, at such time as he may designate; and that a committee of three be appointed to extend said invitation, and tender the use of this Hall for the occasion.

Leave was granted.

Mr. Harper, from the Committee on Schools, submitted the following report.

Your Committee on Schools to whom was referred House File No. 70, A bill for an act to provide for the collection of school-house tax, etc., in the independent school-district of Missouri Valley, Harrison county, Iowa, have had the same under consideration, and have instructed me to report it back with the recommendation that it do pass.

HARPER, *Chairman.*

Your Committee on Schools to whom was referred House File No. 80, A bill for an act to legalize the organization of the independent school-district of Dunlap, in the county of Harrison, Iowa, have had the same under consideration, and respectfully ask time for further consideration.

HARPER, *Chairman.*

Mr. Harper was granted further time to report on House File No. 80.

Mr. McGavren moved the rule be suspended and House File No. 20 be taken up, which motion did not prevail.

Mr. Newbold offered the following resolution, from the Board of Supervisors of Henry county, which was referred to Committee on Federal Relations:

*“Resolved, That the Board of Supervisors hereby request the Senate and House of Representatives of the State of Iowa, to memorialize Congress to pass an act defining the jurisdiction of the Federal and State courts.”*

#### MESSAGES AND COMMUNICATIONS ON THE SPEAKER'S TABLE.

The following resolution in relation to Lieutenant-Colonel John C. Abercrombie, was taken up and considered:

WHEREAS, Lieutenant-Colonel John C. Abercrombie, of Des Moines county, for over three years a brave and efficient officer of the 11th Iowa Infantry, also a member of the 1st Iowa Infantry during its existence, and having also served as an enlisted man during the Mexican war, is now totally and hopelessly blind and otherwise disabled, as is believed from exposure and hardships endured while in the service of his country; and,

WHEREAS, The origin of these disabilities is not susceptible of that clear and undoubted proof—tracing effect to cause—required by the Pension Bureau; and,

WHEREAS, Col. Abercrombie, recently bereft of a beloved wife, has three small children, with no means for their or his support, having already expended the accumulations he had been able to make; therefore,

*Resolved by the Senate, (the House concurring),* That our Senators and Representatives in Congress be earnestly requested to use their best efforts to secure the passage of an act granting to Lieutenant-Colonel John C. Abercrombie, a full pension corresponding to his rank in the service.

*Resolved,* That we tender to Col. Abercrombie our admiration for his heroic and patriotic services, and our deep sympathy with him in his afflictions.

*Resolved,* That the Secretary of State be directed to forward a certified copy of this preamble and these resolutions to each of our Senators and Representatives in Congress, to Hon. W. W. Belknap, Secretary of War, and to Col. John C. Abercrombie, at Burlington, Des Moines county, Iowa.

Mr. Ketcham moved to concur in the Senate resolution.

Mr. Wilson moved to refer to the Committee on Military affairs, which was lost.

The resolution was concurred in.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following resolution in which the concurrence of the House is asked :

*Resolved by the Senate, the House of Representatives concurring,* That both Houses of this General Assembly will take a recess from the tenth day of February next until the twenty-third day of the same month.

J. A. T. HULL, *First Asst. Secretary.*

MR. SPEAKER. I am directed to inform your Honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No 25, A bill for an act to legalize the sale of indemnity swamp lands and scrip in certain counties.

J. A. T. HULL, *First Asst. Secretary.*

The Senate Resolution—that both Houses take a recess from February 10th to February 23d—was taken up.

Mr. Miracle moved to amend by striking out the 10th and inserting the 4th, and by striking out 23d and inserting 14.

The motion did not prevail.

Mr. Brown of Van Buren offered the following amendment, which was adopted :

“And no leave of absence shall be granted members of this General Assembly except in cases of sickness, prior to the day fixed in this resolution for adjournment.”

Mr. Cutts moved to amend that no *per diem* be allowed members during the recess.

Mr. Harrington moved to lay the subject on the table.

Messrs. Ball and Hopkirk demanded the yeas and nays, which were as follows :

The yeas were :

Messrs. Ball, Carver, Crawford, Cutts, DeGroat, Dudley, Durham, Elbert, Evans, Harrington, Harrison, Hartenbower, Hopkirk, Jones, Keables, Ketcham, Millard, Mills, Newbold, Noel, Pratt, Rosser, Sater, Satterthwaite, Stewart, Stutsman, Toliver, Traer, Tufts, and Wright of Sac.—30.

The nays were :

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Christoph, Day, Dickerson, Dumont, Faville, Gibbons, Green, Harper, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Murdock, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Russell, Sanborn, Stanchfield, Stone, Swan, Tait, Taylor, Warner, Wasson, Wilson, Wright of Allamakee, Mr. Speaker.—60.

Absent and not voting—.

Messrs. Conner, Dunne, Kasson, McCoun, Miles of Washington, Snow, Spencer, Teale, Williams, and Wood.—10.

Mr. Evans moved that the resolution be made the special order for Friday, February 28, at half-past ten o'clock, which motion did not prevail.

Mr. Ketcham moved to amend by adding, "that the various committees appointed to visit the different State institutions are instructed to do so during the vacation."

The amendment was adopted.

Upon the question on the motion of not allowing members their *per diem* during the recess, Messrs. Cutts and Bell demanded the yeas and nays, which were as follows :

The yeas were :—

Messrs. Ball, Beatty, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Cutts, Dudley, Durham, Elbert, Evans, Harper, Harrison, Hartenbower, Haycock, Hopkirk, Keables, Ketcham, Lommen, Mahin, Miles of Wayne, Millard, Miller, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Sater, Satterthwaite, Stewart, Tait, Teale, Toliver, Tufts, Warner.—38.

The nays were—

Messrs. Applegate, Arnold, Bell, Beresheim, Bonewitz, Brown of Fayette, Butterfield, Carpenter, Christoph, Crawford, Day, DeGroat, Dickerson, Dumont, Faville, Gibbons, Green, Harrington, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Kasson, Lacey, Lee, Marks, McGavren, Merritt, Mills, Mira-

cle, Morrison, Murdock, O'Donnell, Pratt, Rohlf, Rowell, Russell, Sanborn, Stanchfield, Stone, Stutsman, Taylor, Traer, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—52.

Absent or not voting—

Messrs. Conner, Duane, Jones, McCoun, Miles of Washington, Snow, Spencer, Swan, Williams and Wood.—10.

So the motion did not prevail.

Upon the question to concur in the Senate resolution, Messrs. Carver and Cutts demanded the yeas and nays :

The yeas were :

Messrs. Applegate, Arnold, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Dickerson, Dumont, Faville, Gibbons, Green, Hartshorn, Hirschler, Hobson, Hood, Harper, Irish, Jones, Ketcham, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Murdock, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Stewart, Stone, Swan, Taylor, Wasson, Wilson, Wright of Allamakee, Mr. Speaker—48.

The nays were :

Messrs. Ball, Beatty, Bundy, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dudley, Durham, Elbert, Evans, Harper, Harrington, Harrison, Hartenbower, Haycock, Hopkins, Hopkirk, Huff, Kasson, Keables, Lacey, Miles of Wayne, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Sater, Satterthwaite, Stanchfield, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Warner, Wright of Sac.—43.

Absent or not voting—

Messrs. Conner, Duane, McCoun, Mahin, Miles of Washington, Snow, Spencer, Williams, and Wood.—9.

So the House concurred in the Senate resolution.

The Speaker announced the Committee to invite Dr. White to lecture, to be Messrs. O'Donnell, Stone, and Durham.

On motion of Mr. Russell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 27, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. M. Geiger.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

**MR. SPEAKER:**—I am directed to inform your Honorable body that the Senate has passed the following bill and resolutions, in which the concurrence of the House is asked :

Senate File No. 16, A bill for an act to amend sections 1068, 1069 and 1070, of the Revision of 1860, and to provide additional means from for the collection of charges, assessments, and taxes on lots in municipal corporations.

Joint Resolution relative to the town of Peru, in Dubuque county.

Concurrent Resolution relative to printing the Governor's biennial message, and inaugural address in the Bohemian language.

Also, that the Senate has concurred in the report of the Conference Committee on the disagreeing votes of the two Houses in the proposed Fifteenth Article to the Constitution of the United States, which report is herewith transmitted.

JAMES M. WEART, *Secretary*.

#### PETITIONS.

Mr. Rowell presented a memorial from the citizens of Adams county, asking for legislation in relation to the Swamp Lands. Referred to Committee on Public Lands.

Mr. Miles, of Wayne, presented a petition from the citizens of Wayne county, asking for the establishment of normal schools. Referred to Committee on Schools.

Mr. Newhold presented a petition from W. M. Gales and other citizens of Henry county, asking that railroad property be taxed. Referred to Committee on Railroads.

Mr. Butterfield presented a petition from the citizens of the independent school-district of Nashua, Chickasaw county, Iowa, asking that the proceedings of the School Board of Nashua, in issuing bonds, be declared legal. Referred to Committee on Schools.

Mr. Gibbons presented a memorial and resolutions of the Board of Supervisors of Lee county, asking a law passed requiring the property of railway corporations to be taxed. Referred to Committee on Railroads.

Mr. Dudley presented a petition from Thomas Mitchell and other citizens of Polk county, praying for the privilege to cut a canal across the bend in the Des Moines river, in sections 31 and 32, township 77, range 22. Referred to Committee on Des Moines River Improvement.

Mr. Cotton presented a memorial of the State Agricultural Society, concerning the proposed new Capitol building, asking that suitable rooms be provided for the use of the State Agricultural Society. Referred to Committee on Public Buildings.

Mr. Harrington presented a petition from the citizens of Bremer county, asking the passage of a law to regulate the rates of tariff

for the transportation of freight and passengers. Referred to Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from the Committee of Conference on the proposed Fifteenth Article of the Constitution of the United States, submitted the following report :

The Committee of Conference, appointed by their respective Houses to take into consideration the disagreement of the two Houses upon the Joint Resolution ratifying the proposed fifteenth Article of the Constitution of the United States, after a full and free conference thereon, have unanimously agreed to report and recommend to their respective houses the adoption of the Joint Resolution referred to them, amended so as to read as follows :

Joint Resolution ratifying the proposed fifteenth article of amendment to the Constitution of the United States, relative to the right of citizens to vote.

WHEREAS, The Fortieth Congress of the United States has proposed to the Legislatures of the several States the following article of amendment to the Federal Constitution, namely :

#### ARTICLE XV.

SECTION. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation ; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That by its Legislature it hereby ratifies, adopts, and assents to the said amendment.

On motion of Mr. Rosser, the report of the committee was adopted.

Mr. Campbell, from the Committee of Engrossed Bills, submitted the following report :

The Committee on Engrossed Bills have instructed me to make the following report: That we have examined House File No. 26, and find it correctly engrossed ; also House File No. 31, and, after correcting the number of chapter, of Revision as referred to in the bill, find it correctly engrossed ; also House File No. 33 and House File No. 39, and find them correctly engrossed.

W. H. CAMPBELL, *Chairman.*

Mr. Traer from the Committee on Ways and Means, submitted the following report :

## REPORT OF COMMITTEE.

**MR. SPEAKER:** Your Committee on Ways and Means, to whom was referred House File No. 28, A bill for an act for abatement of taxes in the township of Clinton, county of Clinton, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

*TRAER, Chairman.*

On motion of Mr. Irish, the rule was suspended, the bill was considered engrossed and read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—90.

The nays were, none.

Absent or not voting—

Messrs. Conner, Cutts, Dunne, Mahin, McCoun, Miles of Washington, Snow, Spencer, Swan, and Wood.—10.

Mr. Wilson, from the Committee on Agriculture, submitted the following report:

Your committee to whom was referred House File No. 64, "An act to destroy Canada thistles," has had the same under consideration, and report a substitute in lieu thereof, to-wit:

Your committee to whom was referred House File No. 82, A bill for an act to repeal certain sections in chapter 92 of the laws of the Twelfth General Assembly recommend that the bill be indefinitely postponed.

Your committee to whom was referred House File No. 51, entitled A bill for an act to protect the fur trade, have had the same under consideration and instruct me to report in favor of its passage with an amendment to the title so as to read: A bill to protect fur bearing animals.

*JAMES WILSON, Chairman.*



Mr. Evans, from the committee on Roads and Highways, submitted the following report:

Your committee to whom was referred House File No. 40, have had the same under consideration and recommend that the same do pass.

EVANS, *Chairman.*

Your committee on Roads and Highways, to whom was referred House File No. 48, have had the same under consideration and find that the amendment prayed for is already complied with by chapter 87 section 1, acts of the Eleventh General Assembly.

EVANS, *Chairman.*

Your Committee on Roads and Highways, to whom was referred House file No. 96, have carefully examined the same and recommend that it do pass, on the ground that the law sought to be repealed by this bill is in conflict with the Constitution of the State of Iowa as decided by the Supreme Court of this State. See 25th Iowa Reports.

EVANS, *Chairman.*

Your committee on Roads and Highways to whom was referred House File No. 54, have had the same under consideration and recommend that it do pass.

EVANS, *Chairman.*

Your committee on Roads and Highways to whom was referred House File No. 72, have had the same under consideration and recommend that it do not pass.

EVANS, *Chairman.*

Your committee to whom was referred House File No. 41, have had the same under consideration and find that the amendment asked for has been substantially granted by House File No. 40, and therefore recommend that the same do not pass.

EVANS, *Chairman.*

Mr. Toliver, from the Committee of County and Township Organization, submitted the following report:

MR. SPEAKER: Your Committee on County and Township Organization, to whom was referred House File No. 65, A bill for an act to amend section 799, of the Revision of 1860, relative to the semi-annual payments of county treasurers, beg leave to report the same back to the House with the recommendation that it do pass.

G. S. TOLIVER, *Chairman.*

MR. SPEAKER, Your Committee on County and Township organization to whom was referred House File, No. 87, A bill for an act

to repeal section 3 of chapter 160 of the acts of the Twelfth General Assembly, beg leave to report the same back to the House and a majority of the committee recommend that it do not pass, A minority of said committee recommend that it *do pass* for the reason among others that in their opinion if the transfer books were in charge of the county recorder instead of the county auditor, the *people* would be better accommodated, inasmuch as they would only have to seek one office instead of *two* in order to get their deeds transferred and recorded again, we believe that the county Auditor should be relieved of that pressure of business which is necessarily brought about by leaving the transfer books in his hands; for example, when accounts or reports are to be made up at stated times as provided by law or when the board of supervisors are in session, people come in with their deeds to be transferred, then all must be put aside until that is attended to, and inasmuch as the county recorder is subject to no such pressures of business, we believe that the transfer books properly belong to his office.

G. S. TOLIVER, *Chairman*.

TOLIVER AND SATER, in the minority.

Mr. Rowell from the Committee on Judiciary made the following report.

Mr. SPEAKER, your Committee on Judiciary to whom was referred House File, No. 63, A bill for an act to amend chapter 124 Revision 1860, Relative to attachment and garnishment beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

Leave was granted the Railroad Committee until to-morrow morning to make report.

#### INTRODUCTION OF BILLS.

Mr. Sanborn introduced House File No. 100, A bill for an act to provide for the compilation and publication of the Road Laws, and the distribution of the same. Read first and second time, and referred to Committee on Roads and Highways, and ordered to be printed.

Mr. Arnold introduced House File No. 101, A bill for an act to repeal sections 1791 and 1782 of chapter 72, of the Revision of 1860. Read first and second time, and referred to Committee on Judiciary.

Mr. Wright of Sac, introduced House File No. 102, A bill for an act to make civil townships corporate bodies. Read first and second time, and referred to Committee on County and Township Organization.

Mr. Kasson introduced House File No. 103, A bill for an act to provide for the funding of certain county indebtedness, and for the payment thereof. Read first and second time, and referred to Committee on Ways and Means, and ordered to be printed,

Mr. O'Donnell introduced House File No. 104, A bill for an act for the annexation of sections No. 1, 12, and north half of section No. 13, township No. 88, range 1, west, to the Independent School-District of Epworth, Dubuque county, Iowa. Read first and second time, and referred to Committee on Schools.

Mr. Bonewitz introduced House File No. 105, A bill for an act to amend sections 1544 and 1545 of the Revision of 1860, in relation to fences. Read first and second time, and referred to Committee on Agriculture.

Mr. Toliver introduced House File No. 106, A bill for an act to consolidate taxes which are uniform in civil townships and independent school-districts, and to amend section 746 of the Revision of 1860. Read first and second time, and referred to Committee on County and Township Organization.

Mr. Toliver introduced House File No. 107, A bill for an act to authorize Clerks of the Circuit and District Courts to solemnize marriages. Read first and second time, and laid on the table.

Mr. Dickerson offered the following resolution, which was lost.

*Resolved*, That the janitor, assistant janitor, and paper-folders be allowed the same number of newspapers and the same amount of postage stamps that are allowed other officers of the House.

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 25, A bill for an act to legalize the sale of indemnity swamp lands and script in certain cases.

Read first and second time, and referred to Committee on Judiciary.

Senate File No. 16, A bill for an act to amend sections 1068, 1069, and 1070 of the Revision of 1860, and to provide additional means for the collection of charges, assessments, and taxes on lots of lands in municipal corporations.

Read first and second time, and referred to Committee on Incorporation.

The preamble and joint resolution in relation to Pern, Dubuque county, Iowa, was taken up, and on motion of Mr. Mills was referred to Committee on Public Lands.

The resolution in relation to "Pok Rok," Bohemian paper, was taken up.

Mr. Brown of Van Buren moved to lay the resolution on the table.

The motion prevailed.

Mr. Brown of Van Buren moved to reconsider the vote by which the resolution was laid on the table.

The motion did not prevail.

Leave was granted Mr. Taylor to call up House File 52, and on motion of Mr. Taylor it was referred to Committee on County and Township Organizations.

BILLS ON SECOND READING.

House File No. 32, A bill for an act to repeal section 3, of chapter 160 of the acts of the Twelfth General Assembly, relating to the keeping of the transfer books, and to revive certain portions of chapter 61 of the acts of the Eleventh General Assembly, was taken up, and on motion of Mr. Russell was laid on the table.

House File No. 21, A bill for an act to prevent malicious prosecutions was taken up, and on motion of Mr. Irish was laid on the table.

House File No. 9, A bill for an act for the suppression of dental quackery was taken up, and referred to the Committee on Medical Institutions.

House File No. 46, A bill for an act to repeal chapter 92 of the acts of the Twelfth General Assembly, was taken up, and on motion of Mr. Russell, was laid on the table.

House File No. 42, A bill for an act to repeal chapter 48 of the acts of the Twelfth General Assembly, was taken up and considered, and ordered to be engrossed and read a third time to-morrow.

House File No. 81, A bill for an act to provide for holding two terms of the Circuit Court at Wheatland, Clinton county, Iowa, was taken up, and the amendment proposed by the committee was concurred in.

On motion of Mr. Russell, the rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bone-witz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford-Day, DeGroat, Dickerson, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—88.

The nays were—Mr. Ball.—1.

Absent or not voting—

Messrs. Conner, Cutts, Dudley, Dunne, Mahin, McCoun, Miles of Washington, Snow, Spencer, Williams, Wood.—11.

So the bill passed and the title was agreed to.

House File No. 53, A bill for an act to legalize the tax lists of Wayne county, Iowa, for the years 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, was taken up and considered and the amendment proposed by the Committee was concurred in, and the bill ordered to be engrossed and read a third time to-morrow.

House File No. 60, A bill for an act to amend article 3, chapter 29, of the Revision of 1860, was taken up and ordered engrossed, and read a third time to-morrow.

House File No. 55, A bill for an act to legalize the acts of the Board of Supervisors of Wayne county, was taken up, the amendments proposed by the Committee were concurred in, and the bill ordered engrossed, and to be read a third time to-morrow.

Leave of absence was granted to Messrs. Rowell, Hirschler and Harrington on account of sickness.

House File No. 70, A bill for an act to provide for the collection of school-tax, etc., in the independent school-district of Missouri Valley, Harrison county, Iowa, was taken up, and on motion of Mr. McGavren, the rule was suspended, the bill was read a third time, and,

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—88.

The nays were none.

Absent or not voting:

Messrs. Arnold, Conner, Cutts, Dunne, Mahin, McCoun, Miles of Washington, Satterthwaite, Snow, Spencer, Williams and Wood—12.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, House File No. 16 was made the special order for the first day of March next, at 10 o'clock A. M.

Leave was granted Mr. Parsons to present a bill against the

State, in favor of Soule, Davis & Co., of Fort Madison. Referred to Committee on the Penitentiary.

Leave was granted the Committee of Ways and Means to have authority to order printed such bids as they may deem necessary.

#### MESSAGE FROM THE GOVERNOR.

A message was received from the Governor in relation to reprieves, pardons, and commutations granted, with the reasons therefor, during the term of two years, beginning January 16, 1868; and also a list of remissions of fines and forfeitures, with the amount remitted during the same time.

#### BILLS ON THIRD READING.

House File No. 33, A bill for an act to amend defects in the records of deeds, mortgages, and other conveyances in certain cases, was read a third time.

Upon the question shall the bill pass the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—89.

The nays were—none.

Absent or not voting—

Messrs. Conner, Cutts, Dunne, Mahin, McCoun, Miles of Washington, Snow, Spencer, Stone, Williams, and Wood—11.

So the bill passed and the title was agreed to.

House File No. 39, A bill for an act to amend section 1763 of the Revision of 1860 was read a third time and on question shall the bill pass the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert,

Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—86.

In the negative—Mr. Morrison—1.

Absent or not voting—

Messrs. Conner, Cutts, Dunne, Irish, Kasson, Mahin, McCoun, Miles of Washington, Rowell, Snow, Spencer, Williams and Wood—13.

So the bill passed and the title was agreed to.

House File No. 31, A bill for an act to amend section 2700 of chapter 114 of the Revision of 1860, was read a third time and on the question shall the bill pass the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Satterthwaite, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Sac, Mr. Speaker—79.

The nays were—

Messrs. O'Donnell, and Wright of Allamakee—2.

Absent or not voting—

Messrs. Connor, Crawford, Cutts, Dunne, Elbert, Hartenbower, Mahin, McCoun, Miles of Washington, Murdock, Parsons, Rowell, Sater, Snow, Spencer, Stone, Williams and Wood—18.

So the bill passed and the title was agreed to.

On motion of Mr. Morrison the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 28th, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. B. Morgan

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER:—I am directed to inform your Honorable body that the Senate has passed the following resolution in which the concurrence of the House is asked :

Joint resolution relative to the removal of the National Capitol,  
Also, that the Senate has concurred in the House amendments to the resolution relative to a recess.

JAMES M. WEART, *Chairman*.

Mr. Brown of Van Buren presented a memorial and claim of the Ohio and Mississippi Railroad Company asking pay (\$190.20) for the transportation of one man belonging to 2d Iowa Cavalry, from St. Louis to La Salle, Nov. 26, 1861. Referred to committee on military affairs.

Mr. Rogers presented a petition from citizens of Clinton county, in regard to the claim of W. L. Thomas for labor on the college farm, and stating that said Thomas is a man of good moral character and sober habits. Referred to committee on claims.

Mr. Crawford presented a memorial from the Board of Supervisors of Dubuque county, requesting that the laws in relation to the assessment of real estate be amended so as to authorize the assessors, on the first Monday in January, after the first assessment is made, to make up a new assessment on any real estate which has been increased in value by placing thereon valuable improvements. Referred to a select committee, consisting of Messrs. Crawford, Taylor, and Harrington.

Mr. Irish presented a petition from the State Teachers' Association praying for the establishment of State normal schools. Referred to Committee on Schools.

Mr. Hopkins presented a petition from D. W. Lowrie and other citizens praying for the establishment of a State normal school in Boone county. Referred to Committee on Schools.

Mr. Mahin presented a petition from Rev. J. McDowell, chaplain of penitentiary, asking for increase of salary to \$1000 and that the chaplain be elected by the Legislature. Referred to the Committee on Penitentiary.



Leave of absence was granted to Messrs. Keables, Huff, Wood, and Elbert on account of sickness in their families, and to the Chief Clerk until Tuesday morning.

#### REPORTS OF COMMITTEES.

Mr. Wilson, from the Committee on Agriculture, submitted the following report:

#### REPORT OF COMMITTEE.

MR. SPEAKER:—Your Committee on Agriculture, to whom was referred House Files No. 3 and 16, Bills for an act to prevent stock from running at large, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that they be indefinitely postponed, and report the following bill in lieu thereof.

JAMES WILSON, *Chairman*.

A bill for an act to prevent stock from running at large.

Mr. Harper, from the Committee on Schools, submitted the following report:

MR. SPEAKER:—Your Committee on Schools, to whom was referred House File No. 27, A bill for an act detaching the east half of section 12, and the east half of section 13, in township 78, north of range 3, east 5th p. m., from independent school district No. 1, in Davenport township, Scott county, Iowa, and annexing the same to district township of Davenport, in said county; also, petition for and remonstrance against the same,—beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the accompanying substitute do pass.

HARPER, *Chairman*.

Mr. Wright of Sac, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your Committee on Domestic Manufactures, to whom was referred House File No. 15, A bill for an act to regulate the running of steam-engines on land, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

G. H. WRIGHT, *Chairman*.

Mr. Miracle, from the Committee on Incorporation, submitted the following report:

Your Committee to whom was referred House File No. 43, A bill

for an act to amend section 1125 of the Revision of 1860, chapter 51, beg leave to report that they have had the same under consideration, and refer it back to the House, with the recommendation that it do pass.

J. D. MIRACLE, *Chairman*.

Mr. Harper, from the Special Committee on Geological Survey, submitted the following report :

MR. SPEAKER :—Your special committee to whom was referred House File No. 66, A bill for an act providing for finishing uncompleted portions of the work of the State Geological Survey, and for publishing the report of the State Geologist, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment, to-wit : in the fourth line strike out "five thousand" and insert in lieu thereof, twenty-five hundred.

HARPER, *Chairman*.

Mr. Parsons from the Committee on Judiciary submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary to whom was referred House File No. 37, A bill for an act to amend sections 2, 3 and 4, of chapter 61, Laws of the 12th General Assembly, providing for the incorporation of towns and cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, for the reason that in the opinion of your committee the change herein sought is provided for in the law defining the jurisdiction of the Circuit Courts.

N. W. ROWELL, *Chairman*.

Mr. Toliver from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER :—Your Committee on Enrolled Bills to whom was referred House File No. 2, A bill for an act to legalize the organization of the independent school-district of Ainsworth, Washington county, Iowa, beg leave to report that they have had the same under consideration and find it to be correctly enrolled.

G. S. TOLIVER, *Chairman*.

Mr. Parsons from the Committee on Judiciary submitted the following report :

MR. SPEAKER :—Your Committee on Judiciary to whom was referred House File, No. 14, A bill for an act to repeal section 2498 of the Revision of 1860, relating to the descent of property,

beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House File No. 85, A bill for an act to amend section 4881, chapter 218, Revision 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER: Your Committee on Judiciary to whom was referred House File No. 57, A bill for an act to punish slander and defamation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with this amendment: erase the word "verbal" in the first line of the printed bill and add to the end of said line the words "consists in," and after the word "by" in the second line insert the words "speaking or uttering."

N. W. ROWELL, *Chairman.*

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House File No. 84, A bill for an act to provide for the election of a public judge and the establishment of a police court in cities acting under special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House File No. 94, A bill for an act to amend section 4538, Revision 1860, beg leave to report the same back to the House with a recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER: Your Committee on Judiciary to whom was referred Senate File No. 25, A bill for an act to legalize the sale of swamp lands and script in certain counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

**MR. SPEAKER:** Your Committee on Judiciary, to whom was referred House File No. 49, A bill for an act relating to limitation of actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

**MR. SPEAKER:** Your Committee on Judiciary, to whom was referred House File No. 71, A bill for an act to amend chapter 159 of the Revision of 1860, and to provide for taking depositions of witnesses out of the State without commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass, with this amendment: insert after the word attend in the 14th line of the printed bill the words, to-wit: "As now provided by law."

N. W. ROWELL, *Chairman.*

**MR. SPEAKER:** Your Committee on Judiciary, to whom was referred House File No. 22, A bill for an act to regulate the execution and transfer of notes given for patent rights, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

**Mr. Murdock**, from the Committee on Judiciary, submitted the following minority report:

**MR. SPEAKER:** A minority of your Committee on Judiciary, to whom was referred House File No. 22, A bill for an act to regulate the execution and transfer of notes given for patent rights, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass.

MURDOCK, *Chairman of Minority.*

#### INTRODUCTION OF BILLS.

**Mr. Beresheim** introduced House File No. 108, A bill for an act legalizing certain elections in the city of Council Bluffs, and also legalizing the acts of officers elected thereat. Read first and second time, and referred to Committee on Judiciary.

**Mr. Mills** introduced House File No. 109, A bill for an act to prevent discrimination by railroad corporations. Read first and second time, and referred to Committee on Railroads, and ordered to be printed.

**Mr. Harper** introduced House File No. 110, A bill for an act to

establish a normal school. Read first and second time, and referred to Committee on Schools, and ordered to be printed.

Mr. Dumont introduced House File No. 111, A bill for an act to amend section 10, chapter 144, of the acts of the Twelfth General Assembly. Read first and second time, and referred to Committee on Agriculture.

Mr. Tufts introduced House File No. 112, A bill for an act to protect the people of Iowa from empiricism in the practice of medicine and surgery. Read first and second time, and referred to Committee on Medical Institutions.

Mr. Gibbons introduced House File No. 113, A bill for an act in relation to omnibus transfer companies and common carriers generally. Read first and second time, and referred to Committee on Judiciary.

Mr. Miracle introduced House File No. 114, A bill for an act to amend No. 61, of the Revision of 1860, concerning fences. Read first and second time, and referred to Committee on Agriculture.

Mr. Morrison introduced House File No. 115, A bill for an act to legalize the acts of the Red Jacket Fire Company of Waterloo, Iowa. Read first and second time, and referred to Committee on Judiciary.

Mr. Lacey introduced House File No. 116, A bill for an act to repeal section 3969 of the Revision of 1860, and to provide a substitute therefor. Read first and second time, and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. DeGroat offered the following resolution :

*Resolved*, That the Committee on the Suppression of Intemperance are hereby instructed to inquire into the expediency of the passage of a license law, relating to the sale of intoxicating liquors in this State.

Mr. Wilson moved that the resolution be referred to the Committee on Suppression of Intemperance.

Mr. Ketcham moved to lay the resolution on the table.

Messrs. Ketcham and Rohlf demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carver, Day, Dudley, Dumont, Durham, Evans, Faville, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Hunter, Jones, Kasson, Ketcham, Lacey, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rosser, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Wilson.—57.

The nays were—

Messrs. Applegate, Bell, Beresheim, Butler, Carpenter, Christoph, Crawford, DeGroat, Dickerson, Gibbons, Green, Harper, Harrison, Hartenbower, Hood, Irish, Lee, Mills, Miracle, O'Donnell, Pratt, Rogers, Rohlf, Sater, Toliver, Wasson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—29.

Absent or not voting—

Messrs. Conner, Cutts, Dunne, Elbert, Harrington, Hirschler, Huff, Keables, Miles of Washington, Rowell, Snow, Warner, Williams, and Wood.—14.

The motion to lay on the table prevailed.

Mr. Ketcham offered the following resolution :

*Resolved*, That the Committee on Schools are hereby authorized to have any bills that come before them printed when they deem it necessary.

Mr. Wilson moved to amend by striking out "in schools," and insert "all standing committees be and they are hereby." The motion prevailed.

Mr. Mahin offered the following resolution, which was adopted :

*Resolved*, That the Committee on Agriculture be instructed to inquire into the expediency of reporting a bill fixing the standard weight of apples.

Mr. McGavren offered the following resolution :

*Resolved*, That Merrill Streight, of Harrison county, be appointed a messenger of this House.

Upon its adoption Messrs. Dudley and Crawford demanded the yeas and nays, which were as follows :

The yeas were :

Messrs. Bell, Crawford, Day, DeGroat, Hood, Irish, Lacey, McGavren, Millard, Miracle, Parsons, Rohlf, Stone Taylor, Wright of Allamakee—15.

The nays were :

Messrs. Applegate, Arnold, Ball, Beatty, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Hunter, Lee, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Toliver, Tufts, Wasson, Wilson, Wright of Sac, Mr. Speaker—64.

Absent or not voting—

Messrs. Conner, Cutts, Dunne, Elbert, Harrington, Hirschler, Huff, Jones, Kasson, Keables, Ketcham, McOoun, Miles of Washington, Rogers, Rowell, Snow, Teale, Traer, Warren, Williams and Wood—21.

The resolution was lost.

Mr. Tufts offered the following resolution, which was referred to Committee on Ways and Means :

*Resolved*, That the Committee on Ways and Means be instructed to inquire into the expediency of presenting a bill providing for the election of State Binder and State Printer by the people.

#### MESSAGES ON SPEAKER'S TABLE.

The Governor's message, in relation to reprieves, pardons, and commutations granted, etc., was ordered printed.

The joint resolution in relation to the removal of the National Capital was taken up, and on motion of Mr. Russell, it was referred to Committee on Federal Relations.

Mr. Campbell from the committee on engrossed bills submitted the following report :

The committee on Engrossed Bills beg leave to report that they have examined House File, No. 53, House File, No. 55, and House File No. 60, and have found them correctly engrossed.

W. H. CAMPBELL, *Chairman*.

#### BILLS OF SECOND READING.

House File, No. 63, A bill for an act to amend chapter 124 of the Revision of 1860, was taken up and considered and ordered to be placed at the foot of the calendar.

House File, No. 87, A bill for an act to repeal section 3 of chapter 160 of the acts of the Twelfth General Assembly, was taken up.

Mr. Lacey moved to lay the bill on the table and demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Ball, Beatty, Brown of Fayette, Butler, Dickerson, Gibbons, Green, Hobson, Hopkirk, Jones, Kasson, Lacey, Lommen, Miller, Mills, Noel, Pratt, Russell, Spencer, Stanchfield, Wright of Allamakee—21.

The nays were—

Messrs. Applegate, Arnold, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, DeGroat, Dudley, Dumont, Durham, Evans, Faville, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hunter, Irish, Ketcham, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miracle, Morrison, Murdock, Newbold, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Sanborn, Sater, Satterthwaite, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Wilson, Wright of Sac, and Mr. Speaker.—64.

Absent or not voting—

Messrs. Conner, Cutts, Day, Elbert, Harrington, Hirschler, Huff,

Keables, Miles of Washington, Parsons, Rowell, Snow, Warner, Williams, and Wood.—15.

The motion to lay upon the table did not prevail.

Leave of absence was granted to Mr. Merritt.

Mr. Harper moved that when the House adjourn that it be until Monday morning, 10 o'clock. The motion did not prevail.

Mr. Irish moved that when the House adjourn, that it be until Monday morning, 9½ o'clock. The motion did not prevail.

On motion of Mr. Haycock, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 29th, 1870. }

House met pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. C. R. Pomeroy.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills and Joint Resolution, in which the concurrence of the House is asked :

Senate File No. 12, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases for an amount less than the taxes, interest and costs due thereon.

Senate File No. 40, A bill for an act to amend an act entitled an act in relation to Juror's fees.

Senate File No. 43, A bill for an act to amend section 3079, of chapter 123, of the Revision of 1860, Joint Resolution asking additional mail facilities.

Also to return the following bill which has passed the Senate without amendment :

House File No. 70, A bill for an act to provide for the collection of school-house tax, and tax for library in the independent school district of Missouri Valley, in Harrison county, Iowa.

JAMES M. WEART, *Secretary.*



## PETITIONS.

Mr. Mahin presented a communication from John H. Monroe, asking for increase of fees of Justice of the Peace. Referred to committee on Compensation of Public Officers.

Mr. Wilson presented a petition from the citizens of Tama county asking that a law be passed to prevent stock from running at large. Referred to Committee on Agriculture.

## REPORTS OF COMMITTEES.

Mr. Harper from the Committee on Schools submitted the following report:

MR. SPEAKER: Your Committee on Schools to whom was referred petition of residents and tax payers of Independent school-district of Nashua, Chickasaw county, Iowa, asking this General Assembly to pass an act legalizing the issuing of certain bonds by the board of said Independent district, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the prayer of the petition be not granted.

HARPER, *Chairman.*

Mr. Traer, from Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred House File No. 103, A bill for an act to provide for the funding of county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

TRAER, *Chairman.*

Mr. Rogers, from the Committee on Commerce submitted the following report:

MR. SPEAKER: Your Committee on Commerce to whom was referred a petition and memorial praying the legislature to memorialize Congress for and appropriation for the Wisconsin and Fox River improvements, and for other purposes, beg leave to report that they have had the same under consideration and have instructed me to report the memorial back to the House with the recommendation that it be printed.

ROGERS, *Chairman.*

Mr. Miracle, from the Committee on Incorporations, submitted the following report:

Your Committee on Incorporations to whom was referred House File No. 44, A bill for an act to amend section 1064 of the Revision of 1860, chapter 51, respectfully report that they have had the same under consideration and have instructed me to refer the same back to the House with the recommendation that it do not pass.

J. D. MIRACLE, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Russell introduced House File No. 117, A bill for an act providing for the taxation of railroads. Read first and second time and referred to Committee on Railroads.

Mr. Mills introduced House File No. 118. A bill for an act to establish the office of Surveyor-General and for other purposes. Read first and second time and referred to Committee on Judiciary.

Mr. Sater introduced House File No. 119, A bill for an act to amend chapter 46 of the Laws of the Tenth General Assembly. Read first and second time and referred to Committee on County and Township Organization.

Mr. Rogers introduced House File No. 120, A bill for an act to legalize the acts of Daniel Conrod while acting as justice of the peace in Deep Creek Township in Clinton County. Read first and second time and referred to Committee on Judiciary.

Mr. Hood introduced House File No. 121, A bill for an act to amend chapter 212 of the Code of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Wasson introduced House File No. 122, A bill for an act to regulate clerk's of District and Circuit Court fees. Read first and second time and referred to Committee on Judiciary.

Mr. Haycock introduced House File No. 123, A bill for an act to strike ten out of section 3909 of the Revision of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Stone introduced House File No. 124, A bill for an act to provide an additional argument term of the Supreme Court at Council Bluffs. Read first and second time and referred to committee on Judicial Districts.

Mr. Green introduced House File No. 125, A bill for an act to regulate the sale of unclaimed goods in the possession of warehousemen. Read first and second time and referred to Committee on Commerce.

Mr. Dudley offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,*  
That rule No. 12 of the Joint Rules be amended by striking out "five hundred," in the seventh line, and inserting "two hundred and fifty."

On motion of Mr. Irish the resolution was referred to the Committee on Rules, and instructed to report on Monday morning next.

Mr. Irish offered the following resolution which was adopted :

WHEREAS, There is at present no lawfully established standard of measurement for carpenter, brick, and stone work, nor for painting nor cut stone; Therefore,

*Resolved*, That a special committee consisting of Messrs. Russell, Arnold, Brown of Van Buren, Butterfield, Ketcham, and Morrison, be appointed to consider the subject, and if deemed expedient, to report a bill for the consideration of the House.

Mr. Brown, of Fayette, offered the following resolution, which was referred to Committee on Agriculture :

*Resolved*, That the Committee on Agriculture be instructed to inquire into the necessity of further legislation, if any, in relation to partition fences, and report by bill or otherwise.

#### MESSAGE FROM THE SENATE.

Messages from the Senate were taken up.

Senate File No. 12, A bill for an act to authorize the sale of lands and town lots for taxes, in certain cases, for an amount less than the taxes, interest, and cost due thereon. Read first and second time and referred to Committee on Ways and Means.

Senate file No. 43, A bill for an act to amend section 3079, of chapter 123, of the Revision of 1860. Read first and second time referred to Committee on Judiciary.

Senate File No. 40, A bill for an act to amend an act entitled an act in relation to juror's fees. Read first and second time and referred to Committee on Judiciary.

Joint Resolution asking additional mail facilities. Referred to Committee on Federal Relations.

#### BILLS ON SECOND READING.

House File No. 65, A bill for an act to amend section 799 of the Revision of 1860, relative to the semi-annual payments of county treasurers, was taken up and considered, ordered to be engrossed and read a third time.

House File No. 40, A bill for an act to amend section 2, chapter 100, laws of the Twelfth General Assembly, was taken up and considered, and ordered to be engrossed and read a third time.

Mr. Irish moved a call of the House. The motion prevailed, was seconded, and the clerk proceeded to call the roll.

On motion of Mr. O'Donnell further proceedings under the call were dispensed with.

House File No. 96, A bill for an act to repeal chapter 127 of the acts of the Eleventh General Assembly was taken up. Mr. Pratt

moved to lay it on the table. The motion did not prevail. The bill was ordered engrossed and read a third time.

Mr. Irish moved that the House adjourn. The motion did not prevail.

House File No. 48, A bill for an act to repeal chapter 45, Revision of 1860, was taken up, and on motion of Mr. Applegate, the bill was laid on the table.

House File No. 41, A bill for an act in relation to roads and highways was taken up.

Mr. Irish moved that the House adjourn. The motion did not prevail.

On motion of Mr. Teale the bill was laid on the table.

House File No. 72, A bill for an act to amend section 2 of chapter 76 of the laws of the Tenth General Assembly, in relation to poll tax, was taken up.

Mr. Hopkirk moved that the bill be laid on the table.

Messrs. Irish and Teale demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bereshelm, Carver, Christoph, Day, Dudley Dumont, Evans, Harper, Harrison, Hartshorn, Haycock, Hopkirk, Lommen, Mahin, Marks, McCoun, Morrison, Norris, Parsons, Rosser, Sanborn, Sater, Spencer, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Mr. Speaker—35.

The nays were—

Messrs. Arnold, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Crawford, Dickerson, Gibbons, Green, Hartenbower, Hobson, Hood, Hopkins, Hunter, Irish, Lacey, Lee, McGavren, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, O'Donnell, Pratt, Rohlf, Russell, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Wasson, Wilson, Wright of Allamakee, and Wright of Sac—40.

Absent or not voting—

Messrs. Bundy, Conner, Outts, DeGroat, Dunne, Durham, Elbert, Faville, Harrington, Hirschler, Huff, Jones, Kasson, Keables, Ketcham, Merritt, Miles of Washington, Newbold, Noel, Rogers, Rowell, Snow, Warner, Williams, and Wood—25.

So the motion to lay on the table did not prevail.

On motion of Mr. Rohlf the House adjourned

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, January 31st, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. T. O. Rice.

The Journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has passed the following bills and resolution, in which the concurrence of the House is asked:

Senate file No. 39, A bill for an act to amend section 7, chapter 102 of the laws of the Ninth General Assembly relative to the publication of notices of estrays.

Senate file No. 41. A bill for an act to repeal section 2498 of the Revision of 1860.

*Resolved by the Senate, the House concurring,* That there be 5,000 copies of the report of the Secretary of the State Board of Agriculture (for the year 1869) printed for general distribution.

JAMES M. WEART, *Secretary.*

PETITIONS.

Mr. Mahin presented the Fourteenth Biennial Report of the Superintendent of Public Instruction. Referred to Committee on Schools.

Mr. Wright of Sac, presented a petition from the citizens of Cherokee county, praying for a law to prevent stock from running at large. Referred to Committee on Agriculture.

REPORTS OF COMMITTEES.

Mr. Hood, from Committee on Rules, submitted the following, which was adopted:

MR. SPEAKER: Your Committee, to whom was referred the Resolution asking that Joint Rule No. 12 of both Houses be amended by striking out the word five hundred copies and inserting two hundred and fifty, beg leave to submit the following report: That they have had the same under advisement, and recommend its adoption.

HOOD, *Chairman, pro tem.*

## INTRODUCTION OF BILLS.

Mr. Stutsman introduced House File No. 126, A bill for an act providing for the election of County Attorneys, prescribing their duties and fixing their compensation. Read first and second time and referred to Committee on County and Township organization.

Mr. McConn introduced House File No. 127, A bill for an act to amend section 3051. Read first and second time and referred to Committee on Judiciary.

Mr. Stone introduced House File No. 128, A bill for an act to abolish the general term court and to amend chapter 86, acts Twelfth General Assembly. Read first and second time and referred to Committee on Judiciary.

Mr. Crawford introduced House File No. 129, A bill for an act to repeal section 2746 of Revision of 1860. Read first and second time and referred to Committee on Judiciary.

Mr. Stone introduced House File No. 130, A bill for an act to increase the number of judges of the Supreme Court. Read first and second time and referred to Committee on Judiciary.

Mr. Tait introduced House File No. 131, A bill for an act to repeal section 824 of the Revision of 1860 and to provide a substitute therefore. Read first and second time and referred to Committee on Roads and Highways.

Mr. Traer introduced House File No. 132, A bill for an act to provide for the support and education of the blind. Read a first and second time and referred to Committee on Blind Asylum.

Mr. Green introduced House File No. 133, A bill for an act to promote the improvement of streets and sidewalks. Read first and second time and referred to Committee on Incorporation.

Mr. Teale introduced House File No 134, A bill for an act to repeal section 1705, Revision of 1860, and section 1, chapter 126, acts of Twelfth General Assembly. Read first and second time and referred to Committee on Agriculture.

Mr. Toliver from the Committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER:** The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

House File No. 70, A bill for an act to provide for the collection of school-house tax, etc., in the Independent school-district of Missouri Valley, Harrison county, Iowa.

G. S. TOLIVER, *Chairman.*

Mr. Applegate offered the following resolution:

**WHEREAS,** The law suppressing the sale of intoxicating liquors and wines in this State is violated every day in the year and in nearly every county in the State, therefore be it

*Resolved*, That the committee on the suppression of intemperance be instructed to enquire what legislation may be necessary, if any, to the end that all laws which are openly and persistently violated throughout the State be either repealed or) so amended as to command respect from the people.

Mr. Wilson moved that the resolution be referred to the Committee on the Suppression of Intemperance.

Mr. Stone moved to amend by referring to the committee on Judiciary. The motion did not prevail.

The question recurring on the motion to refer to the committee on the suppression of intemperance. The motion was lost.

Mr. Durham moved to amend the resolution by striking out the words "either repealed or." The motion prevailed.

Mr. Russell moved to lay the resolution on the table.

Messrs. Applegate and Irish demanded the yeas and nays, which were as follows:

The yeas were:

Messrs. Ball, Bonewitz, Brown of Van Buren, Campbell, Carver, Cutts, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Harper, Hartshorn, Hobson, Hopkirk, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Wayne, Millard, Miller, Morrison, Murdock, Noel, Norris, Rosser, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Tait, Taylor, Teale, Tufts, Wasson, Wilson—46.

The nays were:

Messrs. Applegate, Beatty, Bell, Beresheim, Bundy, Butler, Butterfield, Carpenter, Christoph, Crawford, Day, DeGroat, Gibbons, Green, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Irish, McCoun, Mills, O'Donnell, Parsons, Pratt, Rogers, Sanborn, Sater, Satterthwaite, Stutsman, Swan, Toliver, Traer, Wright, of Allamakee, Wright of Sac, Mr. Speaker.—37.

Absent or not voting—

Messrs. Arnold, Brown of Fayette, Conner, Dunne, Elbert, Harrington, Huff, Lee, Merritt, Miles of Washington, Miracle, Newbold, Rohlf, Rowell, Warner, Williams, and Wood.—17.

The motion to lay on the table prevailed.

Mr. Morrison offered the following joint resolution:

#### JOINT RESOLUTION.

*Resolved, by the House, the Senate concurring*, That our Senators be instructed and our Representatives requested to use their influence to procure the passage of a bill giving to each private soldier or non-commissioned officer engaged in the late war for the suppression of the rebellion, a portion of the public lands (proportioned to his term of service)—that the Secretary be required to transmit a copy of this resolution to our delegation in Congress.

Mr. Stone moved to amend by striking out "proportion to his term of service."

Mr. Teale moved to amend the amendment by striking out "private."

Mr. Mills moved to refer to Committee on Federal Relations.

The motion prevailed.

Mr. Sanborn offered the following resolution, which was referred to the Committee on Federal Relations:

*Be it resolved by the General Assembly of the State of Iowa:* That our Senators in Congress be and are hereby instructed, and our Representatives requested to use their influence to procure a mail from Marion, in Linn county, by Rural, Waubeek, Wapsa, Central City, Nugent's Grove, Tower Hill, and Barryville, to Manchester, in Delaware county, and back three times a week. Also, from Delhi, in Delaware county, by Hazel Green, Uniontown, and Grove Creek to Castle Grove and back three times a week.

Leave was granted Mr. Pratt to take up Senate file No. 25, A bill for an act to legalize the sale of indemnity swamp lands and scrip in certain counties.

On motion of Mr. Mills, the rule was suspended and the bill considered engrossed and ordered read a third time. The bill was read a third time. Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartsborn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Noel, Norris, O'Donnell, Parsons, Pratt, Rosser, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—72.

The nays were:

Messrs. Day, Haycock, McCoun, Sater, Satterthwaite, Toliver, Traer.—7.

Absent or not voting—

Messrs. Applegate, Brown of Fayette, Brown of Van Buren, Conner, Elbert, Harrington, Huff, Merritt, Miles of Washington, Miracle, Newbold, Rogers, Rohlf, Rowell, Stone, Warner, Williams and Wood.—18.

So the bill passed and the title was agreed to.

Leave was granted Mr. Mills to call up House File No 71, A bill for an act to amend chapter 159 of the Revision of 1860, and to provide for the taking of depositions of witnesses out of the State without commission.



The amendment proposed by the committee was concurred in.

Mr. Irish moved that the rule be suspended and the bill considered engrossed and read a third time now.

Mr. Cutts moved that the bill be recommended to the Committee on Judiciary.

The motion prevailed.

Leave of absence was granted Mr. Brown of Fayette and Mr. Miracle on account of sickness.

On motion of Mr. Irish, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 1, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. W. W. King.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following resolutions :

*Resolved*, That the Senate has heard with sincere sorrow of the death of Hon. Charles L. Matthies, a Senator from Des Moines county ;

*Resolved*, That as a mark of respect due to the memory of Senator Matthies, these resolutions and accompanying proceedings be spread upon the Journal of the Senate.

WHEREAS, Hon. John R. Needham, a member of this body from the county of Mahaska, a man honored by his fellow citizens by his election to the office of Senator in 1852, Lieutenant-Governor in 1861, and again a Senator in 1867, all of which positions he filled with signal credit to himself, and substantial benefit to the people whom he represented, has been removed by death during his term of service ; therefore,

*Resolved by the Senate*, That it hereby expresses its sense of the public loss, its sorrow at the death of one of its most honored and trusted members, and its sympathy with those more immediately bereaved, by ordering this preamble and resolution to be spread upon the Journal, and a copy thereof engrossed and sent to the family of the deceased.

JAMES M. WEART, *Secretary*.

## PETITIONS.

Mr. Campbell presented a petition from N. Dudley, asking for remuneration for service rendered the State in July, 1861. Referred to Committee on Military Affairs.

## REPORTS OF COMMITTEES.

Mr. O'Donnell, from the Committee to invite Dr. White to lecture, submitted the following report :

Your Committee, appointed in behalf of this House to extend to Dr. White, State Geologist, an invitation to deliver before this body a lecture upon the Geology of Iowa, are pleased to report that said invitation has been extended, and that the Doctor accepts the same, and signifies Friday evening, the 4th inst., as the time upon which it will be his pleasure to deliver said lecture.

O'DONNELL, *Chairman.*

Mr. Dudley, from the Committee on Claims, submitted the following report :

MR. SPEAKER:—Your Committee on Claims to whom was referred the claim and memorial of W. L. Thomas for work done for Jacob Richard on Agricultural College, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be not allowed, for the reason that his failure to make money out of his contract was no fault of the State.

C. DUDLEY, *Chairman.*

Mr. Campbell from the Committee on Engrossed Bills submitted the following report :

MR. SPEAKER:—The Committee on Engrossed Bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

House File No. 40, A bill for an act to amend section 2, chapter 100, Laws of Twelfth General Assembly.

House File No. 65, A bill for an act to amend section 799 of the Revision of 1860, relative to the semi-annual payment of county Treasurers.

House File No. 96, A bill for an act to repeal chapter 127 of the Acts of the Eleventh General Assembly.

W. H. CAMPBELL, *Chairman.*

## INTRODUCTION OF BILLS.

Mr. Harper introduced House File No. 135, A bill for an act to further amend sections 12, 19, and 58, of chapter 172, of the Acts of Ninth General Assembly. Read first and second time and referred to Committee on Schools.

Mr. Stanchfield introduced House File No. 136, A bill for an act to provide guardians for inebriates and other incapable persons. Read first and second time and referred to Committee on Judiciary.

Mr. Stutsman introduced House File No. 137, A bill for an act to repeal section 2824, of chapter 120 of the Revision of 1860, and enact a substitute therefor. Read first and second time and referred to Committee on Judiciary.

Mr. Harrison introduced House File No. 138, A bill for an act providing for the taxation of the property of railroad companies and to repeal section 16, chapter 173 of the Acts of the Ninth General Assembly. Read first and second time and referred to Committee on Railroads and ordered to be printed.

Mr. Mills introduced House File No. 139, A bill for an act to establish a Board of Railroad Commissioners and define their duties. Read first and second time and referred to Committee on Railroads and ordered printed.

Mr. Butler introduced House File No. 140, A bill for an act to protect the citizens of Iowa from empiricism and to elevate the studying of the medical profession. Read first and second time and referred to the Committee on Medical Institutions.

Mr. Sanborn introduced House File No. 141, A bill for an act to repeal Section 824 of the Revision of 1860, and provide a substitute therefor. Read first and second time and referred to Committee on Road and Highways.

Mr. Teale introduced House File No. 142, A bill for an act to define the manner of paying taxes. Read first and second time and referred to Committee on County and Township Organizations.

Mr. Faville introduced House File No. 143, A bill for an act in relation to compensation of County Superintendents. Read first and second time and referred to Committee on Compensation of Public Officers.

Mr. McGavren introduced House File No. 144, A bill for an act to change the number and manner of electing County Supervisors. Read first and second time and referred to Committee on County and Township Organization.

Mr. Stutsman introduced House File No. 145, A bill for an act to amend Section 4192 of Chapter 165 of the Revision of 1860, in relation to punishment with death, in certain cases. Read first and second time and referred to Committee on Judiciary.

## RESOLUTIONS.

Mr. Rogers offered the following Joint Resolution, which was referred to Committee on Federal Relations.

WHEREAS, The Congress of the United States has established the Post Office Department to provide for the reception of correspondence, and its transmission and delivery, by the Post Office, at low and uniform rates, and,

WHEREAS, All telegraphic correspondence is performed by private companies, at high and irregular rates, which discriminate against the West in favor of the East. Therefore,

*Resolved*, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to secure the passage of a bill now pending in the Senate of the United States, authorizing the Postmaster-General to establish the Postal Telegraph system, and to contract for the transmission of correspondence by telegraph at low, uniform rates, for equal distances.

*Resolved*, That the Secretary of State be directed to forward a copy of this memorial and resolution to each of our Senators and Representatives in Congress.

Mr. Millard offered the following resolution, which was referred to the Committee on Federal Relations:

*Resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be instructed, and our Representatives requested to use their influence to procure the passage of an act giving one hundred and sixty acres of land to each soldier who served in the Union Army at any time during the late war, and received an honorable discharge therefrom.

Mr. Dickerson offered the following resolution, which was referred to the Committee on Judiciary:

WHEREAS, The taking of human life as a punishment for crime is unjustifiable under any and all circumstances, and is subversive of the true principles and moral precepts of the Christian religion; and,

WHEREAS, The law now in force in this State, defining and fixing the penalty for the crime of murder in the first degree, is a relic of barbarism, and a foul blot upon the otherwise fair escutcheon of our noble State; therefore,

*Resolved*, That the Judiciary Committee be and are hereby instructed to take into careful consideration the necessity for the enactment of a law abolishing capital punishment for the commission of crime, and providing in its stead a punishment—or rather remedy—more in accordance with the spirit of the age and of the religion which we profess.

Mr. Wright of Sac, offered the following resolution which was referred to Committee on Federal Relations.

*Resolved by the House, the Senate concurring*, That our Senators in Congress be instructed, and our Representatives be requested to

use their influence to procure a tri-weekly mail from Storm Lake, Buena Vista County, to Sioux Rapids, Buena Vista County, and thence to Gillett's Grove and Spencer, Clay County and back.

Leave was granted Mr. Toliver from the Committee on County and Township Organization to submit the following report :

MR. SPEAKER:—Your Committee on County and Township Organization to whom was referred House File No. 119, An act to amend chapter 46 of the Laws of the Tenth General Assembly, beg leave to report the same back to the House with the recommendation that it do pass with the following amendments, viz :

1. Strike the words "one dollar" from the 11th line of the 1st section thereof, and insert the words "seventy-five cents."

2. Strike the words "one hundred and twenty" from the 15th and 16th lines of the first section thereof, and insert the word "fifty."

3. Strike the words "two hundred," from the 21st line thereof, and insert the words "one hundred and fifty."

G. S. TOLIVER, *Chairman.*

#### MESSAGES ON SPEAKER'S TABLE.

The Senate resolution in relation to printing 5,000 copies of the report of the Secretary of the State Board of Agriculture for the year 1869 for general distribution, was taken up and concurred in.

Senate File No. 41, A bill for an act to repeal section 2498 of the Revision of 1860, was read a first and second time and referred to Committee on Judiciary.

On motion of Mr. Cutts the vote was reconsidered.

Mr. Cutts moved that the rule be suspended and the bill be read a third time now.

The motion prevailed.

Mr. Russell moved that the bill be recommitted. The motion did not prevail.

Upon the question shall the bill pass, the yeas and nays were as follows :

The yeas were:—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale,

Toliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—85.

The nays were—

Messrs. Gibbons, Hartshorn, Sater.—3.

Absent or not voting:—

Messrs. Brown of Fayette, Conner, Dunne, Harrington, Miles of Washington, Miracle, Rowell, Satterthwaite, Stone, Warner, Williams and Wood.—12.

So the bill passed and the title was agreed to.

Senate File No. 39, A bill for an act to amend section 7, chapter 102, of the laws of the Ninth General Assembly, relative to the publication of notices of estrays. Read a first and second time and referred to Committee on Agriculture.

The message of the Governor, in relation to the St. Louis Convention, was taken up and ordered printed, and referred to Committee on Federal Relations.

#### BILLS ON SECOND READING.

House File No. 72, A bill for act to amend section 2 of chapter 76 of the Tenth General Assembly, in relation to poll tax, was taken up and considered.

On motion of Mr. Evans the bill was indefinitely postponed.

House File No. 54, A bill for an act to repeal section 5, chapter 100, of the Acts of the Twelfth General Assembly, was taken up, and the House refused to order engrossed; to be read a third time.

House File No. 64, A bill for an act to destroy Canada thistles, was taken up.

Mr. Sanborn offered a substitute, which was adopted.

On motion of Mr. Wilson, the rule was suspended, the bill considered engrossed, and read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were:

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—79.

The nays were :

Messrs. Crawford, DeGroat, Dickerson, Hopkirk, McCoun, Taylor.—6.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Conner, Dunne, Harrington, Mahin, Miles of Washington, Mills, Miracle, Rowell, Rogers, Stone, Warren, Williams and Wood—15.

So the bill passed, and the title was agreed to.

On motion of Mr. Huff, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 2, 1870. }

The House met pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. S. Schobert.

The journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER: I am directed to inform your Honorable Body that the Senate has passed the following bill and joint resolution, in which the concurrence of the House is asked :

Senate File No. 50, A bill for an act to amend chapter 144 of acts of the Twelfth General Assembly, in relation to the protection of crops against the invasion of stock.

Memorial and joint resolution asking Congress for a grant of lands to aid in the construction of a Railroad from O'Brien county, Iowa, to some point on the Missouri river, at or near Yankton, in Dakota Territory.

Also, that the Senate has amended the resolution relative to amending rule 12 of the joint rules by striking out "two hundred and fifty" and inserting three hundred, in which the concurrence of the House is asked.

JAMES M. WEART, *Secretary.*

#### PETITIONS.

Mr. Campbell presented a petition from Joseph A. Stright for pay for services rendered and money expended while recruiting Co. "E," 23rd Iowa Infantry. Referred to Committee on Claims.

Mr. Noel presented a petition from the citizens of Dallas county, in favor of establishing a Board of County Commissioners. Referred to the Committee on County and Township Organization.

Mr. Greene, of Scott, presented a petition of citizens of Scott county, Iowa, in regard to the election of township assessors. Referred to the Committee on County and Township Organization.

Mr. Applegate presented a petition of the Board of Supervisors and others of Scott county, requiring the entire tax for each county to be added and extended into one column. Referred to the Committee on County and township Organization.

Mr. Hirschler presented a petition from J. B. Wagner and other citizens of Lee county, asking that the property of railroad corporations be taxed. Referred to Committee on Railroads.

Mr. Snow presented a petition from S. F. Parker and other citizens of Poweshiek county, asking that the property of railroads be taxed. Referred to Committee on Railroads.

Mr. Marks presented a petition from the citizens of Plymouth county, praying for the passage of a law to prevent stock from running at large. Referred to the Committee on Agriculture.

#### REPORT OF COMMITTEES.

Mr. Evans from the Committee on Roads and Highways presented the following report :

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Petition of John Christoph and others, asking for a change in the law for the election of Road Supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the present law is sufficient, if properly enforced.

WM. C. EVANS, *Chairman.*

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House File No. 100, A Bill for an Act to provide for the compilation and publication of the Road laws, and the distribution of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it *do pass*, with the following amendment: Strike out the words "This Legislature," in third line, and insert "The Thirteenth General Assembly."

WM. C. EVANS, *Chairman.*

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House Files No. 131 and 141, A Bill for an Act to repeal Section 824 of the Revision of 1860, and provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the



House, with the recommendation that the following substitute be adopted therefor :

WM. C. EVANS, *Chairman*.

Mr. Harper, from the Committee on Schools, submitted the following :

MR. SPEAKER : Your Committee on Schools, to whom was referred House File No. 93, A bill for an act to amend chapter 172, of the acts of the Ninth General Assembly, relating to Schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

HARPER, *Chairman*.

MR. SPEAKER : Your Committee on Schools, to whom was referred House File No. 90, A bill for an act to amend the School Laws, relating to independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute with the recommendation that it do pass.

HARPER, *Chairman*.

Mr. Tait, from the Committee on Military Affairs submitted the following report :

MR. SPEAKER : Your Committee on Military Affairs to whom was referred the claim of Mr. Noah Dudley for service rendered in 1861, as a teamster for the 4th Iowa Infantry while in Camp at Council Bluffs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be allowed ; and that the Committee on Ways and Means be instructed to provide for it in the General Appropriation Bill.

JNO. H. TAIT, *Chairman, pro tem*.

Mr. Tolliver, from the Special Committee, submitted the following report :

MR. SPEAKER : Your committee to whom was referred the Memorial of the Board of Supervisors of Polk county, in relation to the new tax system of John G. Weeks, of Des Moines, Iowa, beg leave to report that we have had the same under consideration and we find its characteristic features to be *certainly, simplicity, and economy*, and the whole is much less complicated than the system now in use.

It secures the entire revenue, as neither lands, town or city lots, can escape taxation.

It protects the owners of property, and the State, from double assessment, and consequent illegal sales, litigations and costs.

Each tract or lot, no matter how irregular, will have its exact locality in the duplicate and can at once be readily found.

The grouping of contiguous property together, as is done by this system, instead of scattering it over a great number of pages, as is now done, tends greatly to aid assessors in equalizing the value of property.

By this system much greater accuracy is attained on the books of assessors, auditors and treasurers.

The necessity of new or additional assessments after the duplicate is in the hands of the treasurer, will not exist under this system.

This system effectually provides against alterations, erasures, and mutilations of tax duplicates.

The condensing or consolidation of the various funds as provided for in this system is a very important and desirable feature, making a single calculation of taxes take the place of some eight to fifteen under the present system, greatly reducing the expense, and simplifying the preparation of tax duplicates.

The plan of consolidating the various funds will materially reduce the size of tax duplicates, saving materially in the expense of books, avoiding many errors in footing up great numbers of columns, and largely reducing the labor and expense in the treasurer's office.

By this system the same duplicate is advantageously used for two years, and at the same time readily used for a sale book and register of either redemptions or tax deeds for the corresponding two years.

Under such a system the expenses of boards of supervisors would naturally be reduced, as fewer erroneous and double assessments would come before them, and property being more uniformly assessed, but few cases could arise for the correction of assessments.

We find that this system in a great measure if not entirely covers the wants mentioned in the auditor's report, under the head of remarks and suggestions, found on pages 88, 89, and 90, of said report.

We further find that the said John G. Weeks has a copy-right on said tax system.

G. S. TOLLIVER,  
*Chairman of Special Committee.*

#### INTRODUCTION OF BILLS.

Mr. Arnold introduced House File No. 146, A bill for an act to legalize the proceedings of the board of supervisors of Marshall county in certain cases. Read first and second time and referred to committee on judiciary.

Mr. Parsons introduced House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same. Read first and second time and referred to committee on judiciary.

Mr. Hopkirk introduced House File No. 148, A bill for an act to repeal chapter 36, of the acts of the Twelfth General Assembly in relation to circuit and general term courts. Read first and second time and referred to Committee on Ways and Means.

Mr. Dumont introduced House File No. 149, A bill to increase the compensation of deputy collectors of delinquent personal tax. Read first and second time and referred to Committee on Compensation of Public Officers.

Mr. Durham introduced House File No. 150, A bill for an act for the relief of Marion county for money stolen from the county safe. Read first and second time and referred to Committee on Claims.

Mr. Tolliver introduced House File No. 151, A bill for an act to amend section 4143 of the revision of 1860. Read first and second time and referred to Committee on Compensation of Public Officers.

Mr. Stone introduced House File No. 152, A bill for an act to confer certain powers upon the Judge of the Circuit Court. Read first and second times and referred to Committee on Judiciary.

Mr. Hunter introduced House File No. 153, A bill for an act allowing the counties of Hamilton, Franklin and Wright to take their causes to the argument term of the Supreme Court, at the city of Dubuque. Read first and second time and referred to Committee on Judiciary.

Mr. Dickerson introduced House File No. 154, A bill for an act to prohibit corporeal punishment in schools. Read first and second time and referred to Committee on Schools.

Mr. Irish introduced House File No. 155, Bill for an act to amend chapter 134 of acts of the Tenth General Assembly, and to provide for carrying out the provisions of Sec. 3, Art. 7, of the Constitution, in relation to the school and university funds. Read first and second time and referred to Committee on State University.

Mr. Kasson introduced House File No. 156, A bill for an act to improve the tax system of this State, and to avoid errors in the assessment of real estate. Read first and second time and placed on file.

#### RESOLUTIONS.

Mr. Stanchfield offered the following resolution :

*Resolved*, That upon each day until the 10th inst. the House will at the hour of 11 o'clock, A. M., enter upon the consideration of bills upon their second reading, with a view to clearing the calendar before that date.

Mr. Dudley offered the following amendment :

*Resolved*, That the House will upon each morning take up the order of business where it was left the preceding day. The amendment did not prevail.

The question recurring on the resolution it was lost.

Mr. McGavren offered the following resolution, which was adopted :

*Resolved*, That the use of the Hall of Representatives for tomorrow evening, Feb. 3, be tendered to M. C. Nickerson, Esq., of Harnson county, Iowa, for the purpose of delivering a free lecture upon the agricultural and mineral resources of Utah, and the late discovery of rich deposits of gold and silver bearing quartz, copper, lead, and iron, and other valuable minerals.

Mr. Snow offered the following resolution, which was referred to the Committee on Judiciary :

Whereas, The frequent fatal results from the careless and wanton use of fire arms seem to require some legislation attaching severe penalties thereto, therefore be it

*Resolved*, That the Committee on Judiciary be instructed to enquire into the necessity of such legislation, and report to this House by bill or otherwise.

Mr. Dunne offered the following resolution, which was referred to the Committee on Federal Relations :

*Be it resolved*, By the General Assembly of the State of Iowa, that our senators in Congress be instructed and our representatives requested to procure if possible a semi-weekly mail service from Maquoketa in Jackson county, via Fulton, Otter Creek, and Zwingle, to Dubuque in Dubuque county.

#### MESSAGES ON SPEAKER'S TABLE.

The resolution in relation to the amendment of Joint Rule No. 12. The House concurred in the Senate Amendments.

Senate File No. 50, A bill for an act to amend chapter 144 of the acts of Twelfth General Assembly, in relation to protection of crops against invasion of stock. Read first and second time and referred to Committee on Agriculture.

The Memorial and Joint Resolution asking Congress for a grant of land, on motion of Mr. Wilson, was referred to Committee on Railroads.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER : I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 28, A bill for an act for the abatement of taxes in Clinton township, Clinton county, Iowa.

J. A. T. HULL, *1st. Asst. Secretary.*

BILLS ON SECOND READING.

Mr. Cutts moved to suspend the regular order of business and take up bills on third reading. The motion prevailed.

Substitute for House File No. 26, A bill for an act to repeal section 722 of Revision of 1860, and to provide a substitute therefor, and prevent fraud in assessments, was taken up and read a third time, and on question shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Connor, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Laczy, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Tolliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—89.

The nays were, none.

Absent or not voting—

Messrs. Brown of Fayette, Day, Harrington, Hobson, Mahin, Miles of Washington, Rowell, Taylor, Warner, Williams, and Wood.—11.

So the bill passed and the title was agreed to.

House File No. 53, A bill for an act to legalize the tax lists of Wayne county, Iowa, for the years A. D. 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, was taken up with amendments and read a third time.

On motion of Mr. Irish, the vote was reconsidered by which the bill was ordered to be read a third time.

Mr. Irish moved to amend "provided that tax sales heretofore made shall require no validity through the operation of this act." The amendment prevailed.

On motion of Mr. Cutts, the vote was reconsidered by which the amendment was adopted.

Mr. Irish moved to amend by adding to the first section of the

bill, "provided that all sales heretofore made shall receive no validity through the operation of this act." The motion prevailed.

The bill was ordered engrossed and read a third time.

House File No. 60, A bill for an act to amend article 3, chapter 29, of the Revision 1860, was read a third time, and, on the question, shall the bill pass? the yeas and nays were as follows—

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—86.

The nays were—00.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Harrington, Harrison, Mahin, Miles of Washington, Miracle, Morrison, Sater, Satterthwaite, Warner, Williams, and Wood—14.

The bill passed and the title was agreed to.

Leave was granted Mr. Evans to call up House File No. 84, A bill for an act to provide for the election of a police judge, and the establishment of a police court, in cities acting under special charters. The bill was read a second time, and, on motion of Mr. Irish, the rule was suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows—

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwait, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—90.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Harrington, Mahin, Miles of Washington, Miles of Wayne, Miracle, Warner, Williams and Wood.—10.

The bill passed and the title was agreed to.

Leave was granted Mr. Rohlf's to call up H. F. 27, A bill for an act detaching certain lands in section 13 in township 78, north range 3, east 5 p. m. from Independent School District, No. 1, Davenport township, Scott county, Iowa, and annexing the same to the District township in said county.

On motion of Mr. Rohlf's the rule was suspended.

The bill read a third time.

Upon the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf's, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—87.

The nays were—none.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Dudley, Harrington, Mahin, Miles of Washington, Miracle, Sater, Satterthwaite, Warner, Williams, and Wood.—13.

So the bill passed and the title was agreed to.

House File No. 55, A bill for an act to legalize the acts of the Board of Supervisors of Wayne county, Iowa, in relation to the levies of taxes for the years A. D. 1861, 1862, 1863, 1864, 1865, 1866, 1867, and 1868, was read a third time and on the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dudley, Dumont, Dunne, Durham, Faville, Green, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Kasson, Keables, Ketcham, Lee, Marks, McCoun, McGavren, Merritt, Millard, Miller, Murdock, Newbold, Norris, Parsons, Rogers, Rohlf's, Rosser, Russell, Sanborn, Satterthwaite, Snow,

Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Wasson, Wright of Sac, Mr. Speaker—67

The nays were—

Messrs. Brown of Van Buren, Butler, Dickerson, Elbert, Evans, Green, Harper, Huff, Irish, Lacey, Lommen, Miles of Wayne, Mills, Noel, O'Donnell, Pratt, Rowell, Spencer, Stanchfield, Wilson, Wright of Allamakee—19.

Absent or not voting—

Messrs. Brown of Fayette, Connor, Day, Gibbons, Harrington, Harrison, Mahin, Miles of Washington, Miracle, Morrison, Sater, Warner, Williams, and Wood.—14.

The bill passed and the title was agreed to.

House File No. 87, A bill for an act to repeal section 3 of chapter 160, of the acts of the Twelfth General Assembly was read a third time.

Mr. Brown, of Van Buren, moved that the bill be recommitted to the Committee on County and Township Organizations. The motion did not prevail.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Brown of Van Buren, Bundy, Butterfield, Campbell, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Elbert, Evans, Faville, Green, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McConn, McGavren, Merritt, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Tolliver, Traer, Tufts, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—69.

The nays were—

Messrs. Applegate, Bonewitz, Butler, Carpenter, Carver, Christoph, Dudley, Dunne, Durham, Harrison, Hopkins, Hopkirk, Hunter, Miller, Rosser, Russell, Snow, Spencer, Stutsman, Teale, Wilson,—21.

Absent and not voting—

Messrs. Brown of Fayette, Conner, Gibbons, Harrington, Mahin, Miles of Washington, Miracle, Warner, Williams, and Wood.—10.

The bill passed and the title was agreed to.

On motion of Mr. Cutts the vote by which the bill passed was reconsidered.

On motion of Mr. Irish the bill was referred to the Committee on Judiciary.

Mr. Russell offered the following resolution which was adopted:



*Resolved*, That the order of the House suspending the operation of the 41st rule in relation to the hours of adjournment is hereby repealed, to take effect to-morrow.

On motion of Mr. Applegate the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 3, 1870. }

The House met pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. R. Turnbull.

The journal of yesterday read and approved.

PETITIONS.

Mr. DeGroat presented a petition from Jos Kelso and 300 others remonstrating against the diversion of the Tete DeMorts Land Grant. Referred to Committee on Railroads.

Mr. Pratt presented a petition from C. A. Slocum and other citizens, asking an increase of the pay of township assessors. Referred to Committee on Compensation of Public Officers.

Mr. Stanchfield presented a petition from A. E. Shysley and other citizens of Linn county, for the passage of a law to regulate the rates of tariff on railroads. Referred to Committee on Railroads.

Mr. Marks presented a remonstrance from the physicians of Sioux City, against establishing another medical school. Referred to Committee on Medical Institutions.

REPORTS OF COMMITTEES.

Mr. Rowell, from the Committee on Judiciary, submitted the following report:

Mr. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 136, a bill for an act to provide Guardians for Inebriates and other persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it be committed to the Committee on the Suppression of Intemperance.

N. W. ROWELL, *Chairman*.

Mr. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 121, A bill for an act to amend chapter 212 of the Revision of 1860, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File, No. 71, A bill for an act to amend chapter 159, of the Revision of 1860, and to provide for taking depositions of witnesses out of the State without commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it pass, with this amendment, insert after the word "attend," in the 14th line of the printed bill, the words "to-wit," "as now provided by law."

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 40, A bill for an act to amend an act entitled—"An act in relation to Jurors' fees," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass, after striking out all of said bill after the word "repealed" in sec. 1 thereof.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File, No. 74, A bill for an act to legalize the acts of John S. Gilmore, Justice of the Peace of Franklin township, Lee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass, for the reason that in the opinion of your Committee such matters are sufficiently provided for by sec. 2228 of the Revision of 1860.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 103, A bill for an act legalizing certain elections in the city of Council Bluffs, and also legalizing the acts of officers elected thereat, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 116, A bill for an act to repeal sec. 3969 of the

Revision of 1870, and provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your committee on Judiciary to whom was referred House File, No. 99, A bill for an act fixing time of holding court in Hardin county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 89, A bill for an act for the appointment of Court Reporter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 122, A bill for an Act to Regulate Clerks' Fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 101, A bill for an act to repeal section 1791 and 1792, chapter 72, Revision 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 123, A bill for an act to amend the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 145, A bill for an act to amend section 4192,

chapter 165, Revision of 1860, in relation to punishment with death for certain crimes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 67, A bill for an act to amend section 3293 chapter 125, Revision of 1860, relating to stay of execution beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 61, A bill for an act to amend chapter 124 of the laws of the Eleventh General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 23, A bill for an act to authorize county treasurers to receive warrants on school house and contingent fund and warrants on township road fund in payment of school house contingent or road tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

Mr. Traer, from the Committee on Ways and Means submitted the following report :

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 12, A bill for an act to amend chapter 118, Laws of the Eleventh General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with accompanying substitute which they recommend do pass.

TRAER, *Chairman.*

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the concurrent resolution in relation to

Col. John C. Abercrombie, of Des Moines county, and find the same correctly enrolled, also that they have examined the joint resolution ratifying the proposed Fifteenth Article of Amendment to the Constitution of the United States relative to the right of citizens, to vote and find the same to be correctly enrolled.

G. S. TOLLIVER, *Chairman.*

Mr. Harper, from the Committee on Schools, submitted the following report :

Mr. SPEAKER—Your Committee on Schools, to whom was referred House File No. 1, A bill for an act to amend chapter 867 of the Revision regulating the sale of School Lands and for the protection of the Permanent School Fund, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute with the recommendation that it do pass.

HARPER, *Chairman.*

Mr. Marks, from the committee, submitted the following report :

Mr. SPEAKER—A minority of your Committee on Schools, to whom was referred House File No. 1, A bill for an act to regulate the sale of School Lands, beg leave to report that they have had the same under consideration, and a minority of your Committee have instructed me to report the same back to the House, with the recommendation that the substitute for said House File No. 1, returned by the minority, do pass in place of the said Bill, and the substitutes recommended by the majority and minority of this Committee are identical, except that by the bill of the majority, all sales of School Lands are to be submitted to the State Census Board, whereas the minority substitute requires only that lands that cannot be sold for the minimum price, are to be thus submitted to the Census Board, and in the opinion of the minority of your Committee the safety of the School Fund is amply protected by their substitute without putting the counties to the expense and delay of submitting all sales to a Board distant from and unacquainted with the value and location of such land.

W. W. MERRITT,  
S. H. ROGERS,  
C. R. MARKS.

Leave of absence was granted to Mr. Faville, on account of sickness.

#### INTRODUCTION OF BILLS.

Mr. Millard introduced House File No. 157, A bill for an act to locate and establish a Normal School at the town of Osceola, in the

county of Clarke. Read first and second time and referred to committee on Schools, and ordered printed.

Mr. Harrison introduced House File No. 158, A bill for an act to amend chapter 45 of the Revision of 1860 and chapter 173 of the Laws of 1862, being an act in relation to the assessment of property, real and personal, for taxation. Read first and second time and referred to Committee on Ways and Means, and ordered printed.

Mr. Dunne introduced House File No. 159, A bill for an act requiring County Treasurers and Collectors to insert in tax receipt over each fund, the per centum of the tax levied. Read a first and second time and referred to Committee on Judiciary.

Mr. Evans introduced House File No. 160, A bill for an act in relation to the Assessment, Taxation, Valuation, and Ownership of Doga. Read first and second time and referred to Committee on Ways and Means.

Mr. DeGroat introduced House File No. 161, A bill for an act to carry out the provisions of an Act of Congress, approved May 15, 1856, granting lands to Iowa to aid in the construction of railroads, and to secure the early completion of the Tete Des Morts branch of the Dubuque and Sioux City railroad. Read first and second time and referred to the Committee on Railroads.

Mr. Snow introduced House File No. 162, A bill for an act to encourage the Development and Manufacture of Salt. Read first and second time and referred to the Committee on Agriculture.

Mr. Tolliver introduced House File No. 163, A bill for an act to facilitate the organization of Civil Townships in certain cases. Read first and second time and referred to the Committee on County and Township Organizations.

Mr. Wilson introduced House File No. 164, A bill for an act to Legalize the Incorporation of Toledo, Iowa. Read first and second time and referred to Committee on County and Township Organizations.

Mr. Wilson introduced House File No. 165, A bill for an act suppressing intemperance. Read first and second time, and referred to the committee on the suppression of intemperance.

Mr. Sater introduced House File No. 166, A bill for an act to authorize clerks of the Circuit Courts to preform all duties in relation to the sales of real estate for delinquent taxes and the redemption of the same in lieu of the County Auditor. Read first and second time and referred to committee on County and Township organizations.

On motion of Mr. Irish, House File No. 158 was ordered printed.

#### RESOLUTIONS.

Mr. Irish offered the following resolution, which was adopted.

WHEREAS: The obsequies of Major Geo. Jay North, of Polk Co., transpire this P. M., and

WHEREAS: Major North, has long been connected with the Executive Office of this State, and was always in strong and active sympathy with our public interests, therefore,

*Resolved*, That as a mark of respect to the memory of Major North, this House will hold no session this p. m., and the Representatives of the people will evince their regard by attendance.

Mr. Arnold offered the following resolution:

*Resolved*, That the clerk be and he is hereby directed to order for the use of each member and officer of this House, twenty copies of the Des Moines Bulletin Legislative Supplement, containing a full phonographic report of the proceedings of the Thirteenth General Assembly, provided the cost of the same will not exceed \$2 per copy, complete from the beginning to the close of the session.

Mr. Haycock moved to lay the resolution on the table.

Messrs. Mills and Ball demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Ball, Bundy, Campbell, Carpenter, Carver, Dickerson, Durham, Elbert, Evans, Harrison, Haycock, Hopkirk, Irish, Keables, McGavren, Miles of Wayne, Millard, Miller, Morrison, Newhold, Noel, Norris, Sanborn, Sater, Snow, Stutsman, Teale, Tolliver, Tufts, and Wilson.—30.

The nays were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Christoph, Crawford, Cutts, Day, DeGroat, Dudley, Dumont, Dunne, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, Mills, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Warren, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—57.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Mahin, Merritt, Miles of Washington, Miracle, Rosser, Russell, Satterthwaite, Traer, Williams and Wood.—13.

So the motion to lay on the table did not prevail.

Mr. Applegate moved to amend by striking out "20" and inserting "10." The motion did not prevail.

Mr. Ketcham moved to amend to strike out "20" and insert "15." The motion did not prevail.

Mr. Applegate moved to strike out "20" and insert "8." The motion did not prevail.

Mr. Dunne moved to refer to Committee on Printing.

Mr. Stewart moved to amend by striking out "20" and inserting "2."

Mr. Stone moved to amend by inserting "18" in lieu of "2." The motion was lost.

Mr. Morrison moved to amend as follows :

*Resolved*, That the State Printer be authorized to employ a Short Hand Reporter to report the proceedings of this General Assembly and furnish each member 10 copies each morning. The motion did not prevail.

The motion to insert "2" did not prevail.

Mr. Lacey moved to strike out "20" and insert "12."

Messrs. Dudley and Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Beatty, Bell, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Dudley, Dumont, Durham, Elbert, Evans, Gibbons, Green, Hopkins, Irish, Keables, Ketcham, Lacey, Marks, Miles of Wayne, Millard, Newbold, Sanborn, Sater, Satterthwaite, Spencer, Stutsman, Tait, Taylor, Teale, Tolliver, Tufts, Warner, Wasson, Wright of Sac, Mr. Speaker—40.

The nays were—

Messrs. Arnold, Ball, Beresheim, Bonewitz, Campbell, Christoph, Crawford, Day, DeGroat, Dickerson, Dunne, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkirk, Huff, Hunter, Jones, Kasson, Lee, Lommen, McCoun, McGavren, Miller, Mills, Miracle, Morrison, Murdock, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Stanchfield, Stewart, Stone, Swan, Wilson, Wright of Allamakee.—48.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Mahin, Merritt, Miles of Washington, Miracle, Rosser, Russell, Traer, Williams, and Wood.—12.

The motion to amend did not prevail.

Mr. Morrison moved to refer the resolution to the Committee on Charitable Institutions. The motion did not prevail.

Mr. Irish moved the previous question, which was seconded, and the main question ordered. Upon the question of the adoption of the resolution the yeas and nays were ordered and were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Christoph, Crawford, Cutts, Day, De Groat, Gibbons, Green, Harper, Hirschler, Hood, Huff, Jones, Kasson, Ketcham, McCoun, Merritt, Mills, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Stanchfield, Stone, Wasson, and Mr. Speaker.—31.

The nays were—

Messrs. Ball, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Irish, Keables, Lacey, Lee, Lommen, Marks,



McGavren, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Tufts, Warner, Wilson, Wright of Allamakee, Wright of Sac—57.

Absent and not voting—

Messrs. Brown of Fayette, Conner, Faville, Hunter, Mahin, Miles of Washington, Miracle, Rosser, Russell, Traer, Williams, and Wood.—12.

The resolution was lost.

Mr. Rowell offered the following resolution :

*Resolved*, That the clerk be and is hereby directed to order for the use of each member of this House ten (10) copies of the Daily phonographic report of its proceedings published in supplement form by the *Des Moines Bulletin*, *provided* the cost thereof will be the same as is allowed for other daily papers ordered by the House, and *provided further*, that the phonographic reports be furnished from the commencement of the session to the end of the Thirteenth General Assembly.

Mr. Sater moved to lay the resolution on the table.

Messrs. Haycock and Sater demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Ball, Bonewitz, Bundy, Campbell, Carpenter, Carver, Dickerson, Dudley, Durham, Elbert, Evans, Haycock, Hopkins, Hopkirk, Irish, Keables, McGavren, Miles of Wayne, Millard, Miller, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Sanborn, Sater, Snow, Stutsman, Spencer, Stewart, Tait, Teale, Tolliver, Tufts, Wilson—37.

The nays were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Brown of Van Buren, Butler, Butterfield, Christoph, Crawford, Cutts, Day, DeGroat, Dumont, Dunne, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hirschler, Hobson, Hood, Huff, Hunter, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, Merritt, Mills, Parsons, Pratt, Rogers, Rhols, Rowell, Satterthwaite, Stanchfield, Stone, Swan, Taylor, Warner, Wasson, Wright of Allamakee, Wright of Sac, Mr. Speaker—51.

Absent or not voting—

Messrs. Brown of Fayette, Connor, Faville, Hartshorn, Mahin, Miles of Washington, Miracle, Rosser, Russell, Traer, Williams, and Wood.—12.

The motion to lay on the table did not prevail.

Mr. Cutts moved to amend by providing that the cost shall not exceed \$2 per copy.

Mr. Applegate moved the previous question, which was seconded. The motion to amend was adopted.

The question shall the main question be now put? was decided in the affirmative.

Upon the question of the adoption of the resolution, the yeas and nays were ordered and were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Beresheim, Brown of Van Buren, Butler, Butterfield, Christoph, Crawford, Cutts, Day, DeGroat, Dudley, Dumont, Dunne, Gibbons, Green, Harper, Harrington, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Huff, Jones, Kasson, Ketcham, Lacey, Marks, McCoun, Merritt, Mills, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Stanchfield, Stone, Wasson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—46.

The nays were—

Messrs. Ball, Beatty, Bonewitz, Bundy, Campbell, Carpenter, Carver, Dickerson, Durham, Elbert, Evans, Harrison, Hartshorn, Haycock, Hopkirk, Hunter, Irish, Keables, Lee, Lommen, McGavren, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Tufts, Warner, Wilson.—42.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Mahin, Miles of Washington, Miracle, Rosser, Russell, Spencer, Traer, Williams, and Wood.—12.

So the resolution was adopted.

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled.

House File No. 28, A bill for an act for the abatement of taxes in Clinton township, Clinton County, Iowa.

G. S. TOLLIVER, *Chairman*.

Mr. Brown of Van Buren moved the following resolution, which was adopted :

*Resolved*, That Hon. Samuel Murdock, of Clayton county, is hereby invited to deliver a lecture in this Hall on Tuesday evening, the 8th inst. Subject, "The Globe on which we Live."

And that the use of this Hall for that occasion is hereby tendered him.

Mr. Rogers offered the following resolution :

WHEREAS, The *shell* denominated the "capitol" does not contain rooms for the accommodation of the committees of this House, and

WHEREAS, *Savery* is unwilling to allow committees to occupy the ladies' parlor—unless they furnish spittoons, therefore

*Resolved*, That the Secretary of State be and he is hereby instructed to furnish, at the expense of the State, rooms for the use of the committees of this House.

On motion of Mr. Dudley the resolution was laid on the table.

On motion of Mr. Arnold the vote by which two sessions per day was adopted was reconsidered.

Mr. Cutts moved to amend the resolution "to take effect Monday next." The motion prevailed.

The resolution as amended was adopted.

On motion of Mr. Stutsman the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
February 4, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. C. Williams.

Journal of yesterday read and approved.

PETITIONS.

Mr. Stutsman presented a petition from the citizens of Lucas county, asking that the rates of tariff on railroads be fixed by law. Referred to Committee on Railroads.

Mr. Rohlf presented a petition from A. J. Smith and 177 practical farmers in Scott county for a herd law. Referred to Committee on Agriculture.

Mr. Applegate presented a petition from the citizens of Scott county, praying for a law for the suppression of intemperance. Referred to the Committee on the Suppression of Intemperance.

Mr. Applegate presented a petition from citizens of Fort Dodge, asking the location of the Penitentiary at that place. Referred to Committee on Public Buildings.

Mr. Stone presented a memorial from certain citizens of Platteville township, Mills county, asking that townships be exempted from the operation of the Hog Law in that county. Referred to Committee on County and Township Organizations.

Mr. Harrison presented a petition from Louis Case and other citizens, asking that the county recorder be authorized to keep the Transfer Books. Referred to Committee on County and Township Organizations.

Mr. Harrington presented a petition from H. C. Clock and other citizens of Northwestern Iowa, asking that wire fences be legalized. Referred to Committee on Agriculture.

Mr. Speaker presented a petition of 114 prominent citizens of Johnson county, asking the passage of a law to prohibit the compulsory collection of illegal railroad taxes by State officers. Referred to Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Wilson, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 114, A bill for an act to amend chapter 61 of the Revision of 1860, concerning fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass.

JAMES WILSON, *Chairman.*

We have also had under consideration a resolution asking legislation respecting division fences, and report that no farther legislation is necessary.

WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 111, A bill for an act to amend section 10, chapter 144 of the acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it is unnecessary, as the legislation sought is contained in Senate file No. 50, just reported from the committee.

JAMES WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture, to whom was referred Senate File No. 50, A bill for an act to amend an act entitled an act to protect crops from the invasion of stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JAMES WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 134, A bill for an act to repeal section 1705 of the revision of 1860, and section 1, chapter 136 of the acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration and a majority of the committee have

instructed me to report the same back to the House with the recommendation that it do not pass.

Mr. Sater will present the minority report.

JAMES WILSON, *Chairman.*

Mr. Marks, from the Committee on Public Lands, submitted the following report :

MR. SPEAKER—Your Committee on Public Lands to whom was referred that part of the Governor's Message in relation to the Geological Survey, beg leave to report that they have had the same under consideration and have instructed me to report that as a special committee has been appointed on that subject, this committee need not further consider the same.

CONSTANT R. MARKS, *Chairman.*

MR. SPEAKER—Your Committee on Public Lands to whom was referred Joint Resolution in relation to the town of Peru, beg leave to report that they have had the same under consideration, and the same having already passed the Senate, have instructed me to report the same back to the House with the recommendation that it do not pass.

CONSTANT R. MARKS, *Chairman.*

MR. SPEAKER—Your Committee on Public Lands to whom was referred memorial of Adams county asking this Legislature to pass some act that will secure to such county certain swamp lands granted by the United States to the State of Iowa, but which the Burlington and Missouri River Railroad Company, under a subsequent grant, have caused to be certified to them by the Commissioners of the General Land Office, beg leave to report that they have had the same under consideration and have instructed me to report the same back with the recommendation that the county was heard through their representative, Mr. Rowell, and that though said memorial shows a priority of right to such swamp lands in said county, yet in the opinion of your committee their remedy is in the courts and the matter is not within the province of this Legislature to remedy, and have instructed me to report the same back to the House with the recommendation that no action be had in relation thereto.

CONSTANT R. MARKS, *Chairman.*

Mr. Rohlf's from the Committee on Internal Improvements submitted the following report :

MR. SPEAKER—Your Committee on Internal Improvements to whom was referred House File No. 50, A bill for an act to authorize

the Building of Bridges across the Maquoketa river in Jackson county, Iowa ; also, a communication from the Board of Supervisors of same county upon the same subject, have instructed me to report it back with the recommendation that the bill do pass.

M. J. ROHLFS, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Pratt introduced<sup>\*</sup> House File No. 167, A bill for an act to amend chapter 45, Revision 1860, and to increase the compensation of Township Assessors. Read first and second time and referred to the Committee on Compensation of Public Officers.

Mr. Gibbons introduced House File No. 168, A bill for an act in relation to assessments, taxation, and sale of property. Read first and second time and referred to Committee on Judiciary.

Mr. Stone introduced House File No. 169, A bill for an act to provide for establishing normal schools at certain points in this State. Read first and second time and referred to Committee on Schools.

Mr. Ketcham introduced House File No. 170, A bill for an act to repeal section 3, of chapter 160 of the acts of the Twelfth General Assembly and to provide a substitute therefor. Read first and second time and referred to Committee on County and Township organizations.

Mr. Warner introduced House File No. 171, A bill for an act to legalize the incorporation of the Regular Baptist Church at Jordan's Grove, in Linn county, State of Iowa. Read first and second time and referred to Committee on Incorporations.

Mr. Morrison introduced House File No. 172, A bill for an act to change the name of Skunk Rivers. Read first and second time and referred to committee on Federal Relations.

Mr. Stanchfield introduced House File No. 173, A bill for an act to authorize counties to build bridges. Read first and second time and referred to the committee on Ways and Means.

Mr. Rohlfis introduced House File No. 174, A bill for an act to provide for the publication of the laws of a general nature of the Thirteenth General Assembly in certain newspapers printed in German and for the translation thereof. Read first and second time and referred to committee on printing.

Mr. Hunter introduced House File No. 175, A bill for an act establishing and defining wire fences. Read first and second time and referred to committee on agriculture.

Mr. Dunne introduced House File No. 176, A bill for an act to amend section 1, chapter 183, of the laws of the Twelfth General Assembly. Read first and second time and referred to committee on schools.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate.

Mr. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 3, A bill for an act to authorize cities to receive Donations of Grounds and Library Buildings, and to maintain Free Public Libraries and Reading Rooms.

Substitute for Senate Files No. 7 and 18, A bill for an act to amend Article 11 of chapter 22 of Revision of 1860, creating a Board of Supervisors and acts amendatory thereto.

Also that the Senate has ordered printed the usual number of copies of the Message of Governor in relation to pardons and reprieves, and of the Report of the Census Board, and plans for a new Capitol Building.

JAMES M. WEART, *Secretary*.

## RESOLUTIONS.

Mr. Day offered a joint resolution in relation to paying B. F. Jenkins and R. P. Ridley for material furnished and labor performed during the years 1862 and 1863, upon certain forts and stockades for the protection of the northern frontier. Referred to the Committee on Claims.

Mr. Haycock offered the following resolution :

*Resolved*, by the House of Representatives of the State of Iowa now assembled, that the Asylum for the Insane, the Asylum for the Deaf and Dumb, the Institution for the Education of the Blind, and the several Orphans' Homes are institutions that commend themselves to us for our highest consideration and should be the first to receive our fostering care; and that we will first provide, by appropriation, for the carrying on and completion of the above named Institutions before we make any appropriation for the erection of any new buildings."

Mr. Kasson moved to refer it to the Committee on Public Buildings.

Mr. Morrison moved to amend, to refer to the Committee on Expenditures.

Mr. Applegate moved to lay the resolution on the table.

Messrs. Brown of Van Buren and Applegate demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Butler, Campbell, DeGroat, Dickerson, Durham, Gibbons, Green, Hartenbower, Hartshorn, Hirschler, Hood, Huff, Irish, Jones, Kasson, Ketcham,

Marks, McCoun, McGavren, Merritt, Millard, Mills, Murdock, Noel, O'Donnell, Pratt, Rholfs, Rowell, Swan, Wright of Allamakee, Wright of Sac, Mr. Speaker.—35.

The nays were—

Messrs. Ball, Beatty, Bell, Brown of Van Buren, Bundy, Butterfield, Carpenter, Carver, Crawford, Cutts, Day, Dudley, Dumont, Dunne, Elbert, Evans, Harper, Harrington, Harrison, Haycock, Hobson, Hopkins, Hopkirk, Hunter, Lacey, Lee, Lommen, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Russell, Sanborn, Sater, Satterthwait, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee.—58.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Conner, Faville, Keables, Mahin, Miles of Washington, Miracle, Williams, and Wood.—10.

So the motion to lay on the table did not prevail.

The motion to refer to Committee on Expenditures did not prevail.

The resolution was referred to Committee on Public Buildings.

Mr. Rowell offered the following resolution, which was adopted :

*Resolved*, That the Speaker be directed to add to the Judiciary Committee the name of H. G. Day, of Emmett county, to supply the place of J. D. Miracle, absent.

Mr. Brown, of Van Buren, offered the following resolution which was adopted :

*Resolved*, That the janitors having equal responsibilities and duties with other officers of this House, *Therefore resolved*, That they are and be recognized as officers of this House.

The janitors came forward and were sworn in as officers of the House.

Mr. Morrison offered the following resolution which was adopted :

*Resolved*, That the use of this hall be tendered to the Iowa State Eclectic Medical Association, on Wednesday evening, 23d inst., for the purpose of delivering a free lecture on the subject of medicine, by Prof. Gunn.

On motion of Mr. Arnold, the normal school bill, presented by Mr. Stone, was ordered to be printed.

On motion of Mr. Applegate the petition of the citizens of Fort Dodge in relation to the Penitentiary was referred to the Committee on Penitentiary.

Mr. O'Donnell offered the following resolution, which was adopted :

*Resolved*, That the Judiciary and Railroad Committees of this House be empowered to employ one clerk to attend the meetings of both Committees when they do not sit at the same time, and keep a record of the same.



## MESSAGES AND COMMUNICATIONS ON SPEAKER'S TABLE.

Senate File, No. 3, A bill for an act to authorize cities to receive donations of grounds for library buildings, and to maintain free public libraries and reading rooms. Read first and second time, and referred to Committee on Library.

Substitute for Senate File, Nos. 7 and 18, A bill for an act to amend article 11, chapter 22, of the Revision of 1860, creating a board of supervisors, and acts amendatory thereto. Read first and second time.

Mr. Sanborn moved to refer to the Committee on County and Township Organizations, and that the bill be printed.

Mr. Dudley moved to amend by striking out so much as ordered the printing.

Mr. Harper moved the previous question, which was not seconded.

Mr. Rogers moved that the House adjourn. The motion did not prevail.

The question recurring on the amendment, it was lost.

The motion to refer and print was adopted.

Mr. Crawford moved that the House adjourn. The motion did not prevail.

Mr. McCoun moved to make the Bill special order for Monday morning, 10½ o'clock.

Mr. Mills moved to amend by making it the special order for February 25th, 10½ o'clock, A. M. The amendment prevailed.

The motion as amended prevailed.

Mr. Lacey moved that the House adjourn until Monday morning, 10 o'clock. The motion did not prevail.

On motion of Mr. Evans the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 5, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. F. Bresee.

The Journal of yesterday read and approved.

## PETITIONS.

Mr. McGavren presented a petition from 135 citizens of Harrison county remonstrating against a herd law in this State. Referred to Committee on Agriculture.

Mr. Sanborn presented a remonstrance of T. R. S. Alexander and other citizens of Epworth, Dubuque county, against the annexation of sections 1 and 12, and north half of section 13, to the Independent district of Epworth. Referred to Committee on Schools.

Mr. Rowell presented a petition from various citizens of Adams county, asking that the transfer books be kept by the recorder. Referred to the Committee on Judiciary.

Mr. Dumont presented a petition from the citizens of Butler county in regard to a herd law. Referred to the Committee on Agriculture.

Mr. Sanborn presented a petition from the citizens of Delaware county, asking for the enactment of a law fixing rates of freight charges on railroads. Referred to the Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Cutts from the Committee on Railroads submitted the following report :

MR. SPEAKER—Your Committee on Railroads to whom was referred the memorial and joint resolution asking Congress for a grant of lands to aid in the construction of a railroad from O'Brien county, Iowa, to some point on the Missouri river, at or near Yankton, in Dakota Territory, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be adopted.

CUTTS, *Chairman*.

Mr. Hartshorn moved that the report be adopted. The motion prevailed.

Mr. Kasson, from the Committee on Federal Relations, submitted the following report which was adopted.

MR. SPEAKER—Your Committee on Federal Relations to whom was referred a joint resolution respecting a postal telegraph system, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman*.

Mr. Teale, from the Committee on Federal Relations, submitted the following report which was adopted :

MR. SPEAKER—Your Committee on Federal Relations to whom was referred the accompanying joint resolutions, memorializing Congress to make grants of lands as bounties to soldiers in the late war against the rebellion, beg leave to report that they have had the same under consideration and have instructed me to report the same back

to the House with the recommendation that they be laid upon the table, as the homestead laws already make a virtual gift of lands to all who will occupy and cultivate them; and grants in the other form would only result in placing scrip in the hands of speculators, whose location of it would exclude actual settlers, and retard the settlement and development of the country.

JOHN A. KASSON, *Chairman.*

Mr. Gibbons, from the Committee on Federal Relations, submitted the following report, which was adopted:

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred the accompanying memorial requesting this General Assembly to memorialize Congress to pass an act defining the jurisdiction of the Federal and State courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the prayer be not granted, inasmuch as the U. S. Constitution itself defines the jurisdiction of the Federal courts; and Congress has no power to define the jurisdiction of State courts.

JOHN A. KASSON, *Chairman.*

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations to whom was referred the Senate joint resolution in relation to the removal of the Nation Capital, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be adopted by this House with an amendment as follows: Insert, after the word "Columbia," in the second line of the fourth page, the words, "*except so far as the same may be absolutely necessary.*"

JOHN A. KASSON, *Chairman.*

On its adoption Messrs. Irish and Murdock demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Ketcham, Lee, Lommen, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel,

Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—85.

The nays were—Hobson, Irish, Marks—3.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Keables, Lacey, Mahin, Miles of Washington, Miracle, Spencer, Stanchfield, Williams, and Wood—12.

So the report was adopted.

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—The Committee on Federal Relations to whom was referred the accompanying memorial to Congress respecting the Fox and Wisconsin River Improvement, to promote and cheapen the transportation of produce and merchandise between the West and the East beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman*.

Mr. Kasson moved that the report be adopted.

Mr. Teale moved that the adoption of the report be postponed.

The motion did not prevail.

The report was adopted.

Mr. Tolliver from the Committee on County and Township Organizations submitted the following reports:

MR. SPEAKER—Your Committee on County and Township Organizations to whom was referred House File No. 76, A bill for an act to amend sections number one, number four and number twelve of chapter 137 of the laws of the Twelfth General Assembly beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. TOLLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organization to whom was referred House File No. 163, A bill for an act to facilitate the organization of civil townships in certain cases beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. TOLLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred House File No. 142, A bill for an act to define the manner of paying taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. TOLLIVER, *Chairman.*

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred House File No. 106, A bill for an act to consolidate taxes which are uniform in civil townships and independent school-districts and to amend section 746 of the Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. TOLLIVER, *Chairman.*

Mr. Sater, from the Committee on County and Township Organization, submitted the following minority report:

MR. SPEAKER—Your committee to whom House File No. 134 was referred, the majority of which have reported and recommended that the same do not pass, and not being able to agree with the very respectable majority of said committee in the manner of securing the object to be attained, by the law that said bill seeks to repeal, beg leave to submit the following minority report for the following reasons, viz: that the law sought to be repealed—Section 1705, of the Revision of 1860, and Section 1, chapter 186, Acts of the Twelfth General Assembly—was enacted for the purpose of encouraging the agricultural and manufacturing interests of the State of Iowa, and to that end provided that appropriations should be made by the State as rewards and premiums, subject however to be disposed of by the officers of the several organizations. Mr. Speaker, in this there is no disagreement with the honorable majority. While this is the case I am compelled to call the attention of your honorable body to the fact that the intent and spirit of the law has too often been thwarted by said officers of such associations, and we are compelled to see a large amount of premiums awarded by said societies, absorbed by a class of stock not necessary to the best interests of the State of Iowa, neither contemplated by said law, and notwithstanding said officers have been frequently remonstrated with, they still persist in their violation of said law, to the great detriment of the object sought to be attained by such appropriations, viz: That by means of said appropriation, the several associations may be able to give such rewards and premiums as will beget a spirit of noble rivalry in the production of the largest crops of grain, vegetables, mechanism, and useful stock.

Instead of so doing, the great and large premiums are offered and given to and for extraordinary speed in horses, such as is not necessary for the general welfare of the State, but in the interest and for the support of a gambling community.

Believing, Mr. Speaker, that for the purpose of compelling said associations to comply with the spirit and intent of said law it is the duty of this your honorable body to suspend or withhold said awards and premiums from such associations for two years, and as much longer as is necessary to compel such associations to stop the supporting and encouraging of gambling of any and all natures, and instead thereof, give sufficient awards and premiums, as will secure the object so sought by said appropriation.

The above hints are very humbly offered to your honorable body, by the smallest possible minority—one.

T. J. SATER.

MR. SPEAKER—Your Committee on Penitentiary, to whom was referred the account of Soule, Davis and Co., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Claims.

J. W. SATTERTHWAIT for *Chairman*.

Mr. Irish, from Committee on Printing, submitted the following report:

MR. SPEAKER—Your Committee on Printing, to whom was referred House File No. 174, beg leave to report the same back with amendment and the recommendation that it do pass.

IRISH, *Chairman pro tem*.

Mr. Taylor, from the Committee on Incorporations, submitted the following report:

MR. SPEAKER—Your Committee on Incorporations, to whom was referred House File No. 171, A bill for an act to legalize the incorporation of the Baptist church at Jordan's Grove, direct me to report the same back with the recommendation that it do pass.

H. B. TAYLOR, *Chairman pro tem*.

Mr. Tait, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred the claim of the Ohio and Mississippi R. R., for transportation of soldiers of Second Iowa Cavalry during 1861, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the House, with the recommendation that it be allowed, and the Committee on Ways and Means be instructed to provide for the same in the General Appropriation Bill.

JNO. H. TAIT, *Chairman.*

Mr. Harper, from the Committee on Schools submitted the following report :

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 154, A bill for an act to prohibit corporeal punishment in schools beg leave to report that they have the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred House File Nos. 45 and 75, A bill for an act to empower school boards to force school house sites, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that House File No. 45, do pass, with the following amendments, to-wit—add to section 1, “ And provided further that grounds appropriated to orchards, gardens and public parks shall be excluded from the provisions of this act.”

Strike out in first line of section 2, after may, “ purchase and use,” and insert “ take and hold ; ” also in same line after “ estate,” insert “ for school-house purposes.”

Insert in second line of section 3, after “ refuse,” or “ neglect.” Also in same line after “ premises,” insert “ or if such owner cannot be found.”

Also strike out in eleventh line same section, “ said county superintendent,” and insert “ county treasurer.”

Also in fourteenth line, after the word “ after,” insert “ receiving notice that.”

In sixteenth line, strike out “ county superintendent,” and insert “ county treasurer.”

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred the resolution instructing the Committee on Schools to enquire into the propriety of enacting a law on Compulsory Education, beg leave to report that they have had the same under consideration and have instructed me to report that it is the opinion of the committee that the cause of education would not be advanced by the passage of such a law at this time.

HARPER, *Chairman.*

Mr. SPEAKER—Your Committee on Schools, to whom was referred House File No. 80, A bill for an Act to legalize the organization of the Independent School District of Dunlap, in the county of Harrison, Iowa; also certificate of Board of Directors of District Township of Harrison, in said county, stating that the organization of said Independent District does not interfere with the general school interests of said district township, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the said bill do pass.

HARPER, *Chairman.*

Mr. Hartshorn, from the Committee on Police Regulations, submitted the following report—

Mr. SPEAKER—Your Committee on Police Regulations, to whom was referred House File No. 83, A bill for an act to compel the observance of the Sabbath, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass for the reason that the law now in force is sufficient to accomplish the object sought in the bill.

B. J. HARTSHORN, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Day introduced House File No. 177, A bill for an act relating to the Lands conveyed and to be conveyed to the Des Moines Valley Railroad Company. Read first and second time and referred to the Committee on Judiciary and ordered to be printed.

Mr. Rowell introduced House File No. 178, A bill for an act to increase the Salaries of the Judges of the Supreme, District, and Circuit Courts. Read first and second time and referred to the Committee on Compensation of Public Officers.

Mr. O'Donnell introduced House File No. 179, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable rates of tariff for the transmission of certain freights thereon. Read first and second time and referred to the Committee on Railroads, and ordered printed.

Mr. Butler introduced House File No. 180, A bill for an act to increase the penalty for violating section 4392, Revision of 1860, an act for the observance of the Sabbath. Read first and second time, and referred to the Committee on Police Regulations.

Mr. Snow introduced House File No. 181, A bill for an act to constitute the township trustees a board of equalization. Read first and second time, and referred to the Committee on County and Township Organization.



## RESOLUTIONS.

Mr. Huff offered the following resolution which was adopted :

*Resolved*, That the regular order of business be suspended, and that the House proceed at once to the consideration of bills on their second reading.

Mr. Arnold moved that House File No. 99 be taken up. The motion did not prevail.

Mr. Cutts moved to reconsider the vote by which the House refused to take up House File No. 99. The motion prevailed.

House File No. 99, A bill for an act to repeal chapter 22, of the Acts of the Twelfth General Assembly, and revise and re-enact the last paragraph of section 1, chapter 45, of the Acts of the Eleventh General Assembly, fixing the time of holding the district court in Hardin county, was taken up and read a second time.

On motion of Mr. Hunter the rule was suspended, and the bill read a third time.

Upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufis, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—87.

The nays were, none.

Absent or not voting—

Messrs. Brown of Fayette, Connor, DeGroat, Faville, Irish, Keables, Mahin, Miles of Washington, Miracle, Spencer, Stanchfield, Williams, and Wood.—13.

So the bill passed and the title was agreed to.

On motion of Mr. Harper, House File No. 90, A bill for an act to amend the school laws of Iowa, was read a second time, and the substitute recommended by the Committee was adopted.

On motion of Mr. Arnold, the bill was read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows:—

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Butterfield, Campbell, Carver, Cutts, Day, DeGroat, Dickerson,

Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Stewart, Stutsman, Swan, Taylor, Tufts, Warner, Wright of Allamakee—65.

The nays were—

Messrs. Brown of Van Buren, McCoun, Butler, Carpenter, Noel, Sater, Satterthwaite, Teale, Tolliver, Traer, Wasson, Wright of Sac—12.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Conner, Crawford, Faville, Green, Harrison, Irish, Keables, Ketcham, Lacey, Mahin, Miles of Washington, Miracle, Parsons, Spencer, Stanchfield, Stone, Tait, Williams, Wilson, and Wood.—23.

The bill passed and the title was agreed to.

On motion of Mr. Haycock, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 7, 1870.

The House met pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. H. S. DeForrest.

The journal of Saturday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 72, A bill for an act to provide a State Capitol.

Also to return herewith the following bill, which has passed the Senate without amendment :

House File No. 84, A bill for an act to provide for the election of a police judge, and the establishment of a police court in cities acting under special charters.

JAMES M. WEART, *Secretary.*

PETITIONS.

Mr. Day presented a petition from Thomas L. Mace, Esq., asking

that the county recorder be allowed a seal. Referred to Committee on County and Township Organizations.

Mr. Bundy presented a petition from citizens of Jasper county, asking that a maximum of freight charges on railroads be made. Referred to Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Rowell, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 137, A bill for an act to repeal section 2824, chapter 120, Revision of 1860, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Mr. Brown, of Van Buren, from the Committee on Charitable Institutions, submitted the following report:

MR. SPEAKER—Your Committee on Charitable Institutions, to whom was referred House File No. 6, have had the same under consideration, and a majority have instructed me to report the accompanying substitute; as, in their opinion, it is believed the substitute will provide for the object sought to be accomplished in the original bill.

JOEL BROWN,  
*For Majority of Committee.*

Mr. Crawford, from the Select Committee, submitted the following report:

MR. SPEAKER—Your Committee to whom was referred the memorial of the Board of Supervisors of Dubuque county, asking for a law to authorize the sale of lots which have remained unsold, for delinquent taxes for six years, for the reason that said lots are not worth the taxes and penalty, to the highest bidder, have instructed me to report the same back to the House with the recommendation that no further action is necessary in the premises, as the case is fully provided for by bills now before the General Assembly.

T. CRAWFORD, *Chairman.*

MR. SPEAKER—Your Committee to whom was referred the memorial of the Board of Supervisors of Dubuque county, asking for the assessment of improvements on real property, would beg leave

to report that they have had the same under consideration and have instructed me to report a bill in accordance with that memorial.

T. CRAWFORD, *Chairman.*

Mr. Kasson, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred petition of citizens of Dubuque for a memorial to Congress relating to the Sioux City Branch of the Pacific Railroad, beg leave to report that they have had the same under consideration and have instructed me to report the same back with amendments in the form of a substitute, with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman.*

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred a memorial praying for certain changes in the Pacific Railroad Law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with a substitute therefor, with the recommendation that the substitute be adopted by this House.

JOHN A. KASSON, *Chairman.*

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred a joint resolution touching the removal of the National Capitol, as herein inclosed, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, the House having adopted the Senate resolution on the same subject.

JOHN A. KASSON, *Chairman.*

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 25, A bill for an act to legalize the sale of indemnity swamp lands and scrip in certain counties.

House File No. 41, A bill for an act to repeal section 2498 of the Revision of 1860.

G. S. TOLLIVER, *Chairman.*

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following resolution, in which the concurrence of the House is respectfully asked—

*Resolved by the Senate, the House of Representatives concurring,* That the President of the Senate and the Speaker of the House of Representatives be authorized to adjourn their respective Houses on Thursday, the 10th day of February, at 8 o'clock a. m., to the 23d day of February, at 10 o'clock a. m.

JAMES M. WEART, *Secretary.*

## INTRODUCTION OF BILLS.

Mr. Lee introduced House File No. 182, A bill for an act to repeal chapter 111 of the acts of the Twelfth General Assembly, etc. Read first and second time and referred to Committee on Incorporations.

Mr. Lee introduced House File No. 182, A bill for an act to provide for the completion of the centre building, engine house, chimney and ducts, and the improvement of the grounds and farm of the Iowa Insane Asylum, at Independence. Read first and second time, and referred to the Committee on Public Buildings.

Mr. Rohlf's introduced House File No. 183, A bill for an act to promote the settlement of Iowa, and appointing a commission of Immigration. Read first and second time, and referred to the Committee on Internal Improvements, and ordered printed.

Mr. Harrison introduced House File No. 185, A bill for an act to amend chapter 185 of the acts of the Twelfth General Assembly. Read first and second time, and referred to the Committee on Commerce.

Mr. Hartsborn introduced House File No. 186, A bill for an act to repeal sections 9 and 10 of chapter 61, laws of Eleventh General Assembly, relating to the assessment of real estate in alphabetical order. Read first and second time and referred to the Committee on County and Township Organizations.

Mr. Wright, of Sac, introduced House File No. 187, A bill for an act to establish Normal Schools at the town of Osceola, Clinton, and Sioux City. Read first and second time, and referred to the Committee on Schools, and ordered printed.

On motion of Mr. Rowell the rules were suspended, and bills on second reading were taken up.

## BILLS ON SECOND READING.

Substitute on House File Nos. 3 and 18, A bill for an act to restrain stock from running at large, was taken up and considered.

Mr. Wright, of Sac, moved to amend as follows—*Provided*, That any board of supervisors in any county in this State may submit the question of the adoption of this act at a special election.

On motion of Mr. Hunter the substitute was considered by sections.

Mr. Butler moved section 3, by adding "improved" before the word land. The motion prevailed.

Mr. Crawford moved to amend by striking out the word "double," and insert "actual" before damages. The motion prevailed.

Mr. Harper moved to amend section 4, by striking out "ten," and insert "five." The motion did not prevail.

Mr. Murdock moved to amend by adding after the word "may" the following words, "after notifying the owner thereof, if known." The motion did not prevail.

Mr. Sater moved to amend section 5, by adding as follows: "Provided, That if any one or more of said trustees are in any way interested in said damages, the trustee or trustees not so interested to appoint some one or more as the case may require, to act in the place of the person or persons interested." The amendment was adopted.

Mr. Wright, of Sac, moved to amend by adding the following as a new section:

"The owner or person entitled to the possession of said stock, may at any time within thirty days appeal from the findings of such trustees to the proper term of the circuit court of Iowa, for such county, and such appeal shall be taken by serving notice of the same on the party or parties having possession of such stock."

Mr. Beatty moved that the bill be referred to the Committee on Judiciary.

On motion of Mr. Morrison the House adjourned.

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TWO O'CLOCK P. M.

House convened pursuant to adjournment.

The House resumed the consideration of the substitute for House File Nos. 3 and 18.

The motion to refer to the Committee on Judiciary was withdrawn.

Mr. Day moved to refer to Committee on Judiciary.

Mr. Dudley moved to amend by recommitting to the Committee on Agriculture. The motion did not prevail.

The motion to refer to the Committee on Judiciary was lost.

The amendment proposed by Mr. Wright, of Sac, was lost.

Mr. Applegate moved to amend, by adding to section 5, "provided further that the owners of such stock may obtain possession of the same by executing a bond, with good and sufficient security, to the injured party, that he will pay the amount of damages lawfully assessed against such stock within thirty days after the same shall have been assessed as provided in this act, together with the costs so awarded.

Mr. Stanchfield moved to refer to Special Committee, consisting of Messrs. Wilson, Traer, Murdock, and Rohlf, and that the bill be printed.

Mr. Beresheim moved to strike out that part of the motion "to print." The motion prevailed.

The motion to refer to a Special Committee did not prevail.

Mr. Murdock moved to amend by adding to section 5 as follows: "The trustees shall make the assessment in writing and file the same with the Township Clerk, to be of record in his office, and they shall receive the sum of one dollar per each day for each assessment."

All persons aggrieved by the action of the Trustees under this act may appeal to the circuit court of the proper county in all cases where the amount of assessment shall exceed forty dollars. The appeal bond shall be fixed with the clerk of the township, in a penalty double the value of the property distrained with good and sufficient securities, to be approved by the clerk; and from and after the filing of the appeal bond the same shall operate as a supersedeas. The clerk, after an appeal is taken, shall certify all original papers to the clerk of the circuit court, within the time prescribed for the appeal, for which he shall receive the sum of one dollar and fifty cents, fees.

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled.

House File No. 84, A bill for an act to provide for the election of a police judge and the establishment of a police court in cities acting under special charters.

G. S. TOLLIVER, *Chairman.*

The motion to amend prevailed.

Mr. Pratt moved to amend by adding the following to section 5 :

"The owners of the stock or the person entitled to the possession thereof when known, shall also be notified of the time and place of the meeting of said trustees to assess said damages. The motion to amend prevailed.

Mr. Sanborn moved to amend to strike out September in section 8, and insert June. The motion prevailed.

Mr. Traer moved to amend by inserting after votes cast the words "for or against." The motion prevailed.

Mr. Dunne moved to amend by adding additional section (9.) "That in case any county in this State adopts this act. The property of persons living in any county that does not adopt said act will not be liable to its penalty." The motion did not prevail.

Mr. Russell moved to amend by adding 9th section, viz : The provisions of this act shall take effect in ninety days after being adopted by any county in this State. The motion prevailed.

Mr. Wilson moved to amend by adding a section (10) : This act being deemed of immediate importance, shall be in force from and after its publication in the *Daily State Register* and *Daily Des Moines Bulletin*, papers published in Des Moines, Iowa. The motion prevailed.

Mr. McCoun moved that the rule be suspended and the bill be read a third time now. The motion prevailed.

On motion of Mr. Russell, the vote by which the bill was ordered to a third reading, was reconsidered.

On motion of Mr. Wilson the bill was ordered to be engrossed and read a third time, to-morrow at 10½ A. M.

On motion of Mr. Traer the vote was reconsidered by which the House took up bills on second reading.

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 72, A bill for an act to provide for a State capitol was read a first and second time.

Mr. Kasson moved that the bill be referred to the Committee on Public Buildings and ordered printed.

Messrs. Traer and Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Bell, Beresheim, Bonewitz, Bundy, Butler, Campbell, Crawford, Dickerson, Dudley, Durham, Evans, Harper, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Mills, Murdock, Noel, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Russell, Sanborn,



Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Teale, Wright of Allamakee, Wright of Sac, and Mr. Speaker—53.

The nays were—

Messrs. Arnold, Ball, Beatty, Brown of Van Buren, Butterfield, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dumont, Dunne, Elbert, Gibbons, Green, Harrington, Harrison, Haycock, Hirschler, Hopkirk, Hunter, Lacey, Lommen, Miles of Wayne, Miller, Morrison, Newhold, Norris, Pratt, Rosser, Sater, Stutsman, Tolliver, Traer, Tufts, Warren, Wasson, and Wilson.—39.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Mahin, Miracle, Snow, Williams, and Wood.—8.

So the motion to refer and print prevailed.

On motion of Mr. Kasson, the bill was made a special order for March 2, 1870, at 10½ A. M.

The Senate resolution in relation to the President of the Senate and Speaker of the House adjourning their respective houses on Thursday, February 10, was taken up and concurred in.

Leave was granted Mr. Irish to present a memorial from the citizens of Nashua, in relation to the Independent School District of Nashua. Referred to the Committee on Schools.

On motion of Mr. Rohlf the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 8, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. A. Dinsmore.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 13, A bill for an act authorizing County Auditors to administer oaths, and providing a seal for said officers.

Also to return herewith the following bill, which has passed the Senate without amendment.

House File No. 99, A bill for an act to repeal chapter 22 of the Acts of the Twelfth General Assembly, and revise and re-enact the

last paragraph of section 1 of chapter 45 of the acts of the Eleventh General Assembly, fixing the time of holding the District Court in Hardin county.

JAMES M. WEART, *Secretary*.

#### PETITIONS.

Mr. Applegate presented a petition from the medical men of Scott county in regard to the establishment of Medical Institutions. Referred to the Committee on Medical Institutions.

Mr. Cutts presented a petition from the citizens of Mahaska county, asking that the Prohibitory Law be repealed and a License Law enacted in lieu thereof. Referred to Committee on Suppression of Intemperance.

Mr. DeGroat presented a petition from John A. Tritze and other citizens of Jackson county, remonstrating against the diversion of Tete Des Morts Land Grant. Referred to Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Traer, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER—Your committee on Ways and Means to whom was referred House File No. 38 and Senate File No. 12, Bills relating to the Collection of Delinquent Taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying substitute, which they recommend do pass.

TRAER, *Chairman*.

Mr. Campbell, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bill and find the same correctly engrossed :

Substitute for House Files No. 3 and 18, A bill for an act to restrain stock from running at large.

W. H. CAMPBELL, *Chairman*.

Mr. Bundy, from the Committee on Library, submitted the following report :

MR. SPEAKER—Your committee to whom was referred Senate File No. 3, entitled, A bill for an act to authorize cities to receive Donations of Ground and Library Buildings, and to maintain

Public Libraries and Reading Rooms, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

C. BUNDY, *Chairman.*

Mr. Rohlfs, from the Special Committee on Cruelty to Animals, submitted the following report :

MR. SPEAKER—Your special committee, to whom was referred File No. A bill for an act for the more effectual prevention of cruelty to animals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the following amendments :

*First.* In the fourth line of section 2, strike out the words “and cruel.”

*Second.* In the first and second line of section 4, strike out the words “or is failing,” and insert “who fails.”

*Third.* In the third line of section 4, add after the words “the same,” “which lien at the expiration of three months, shall become a perfect title to the property.”

*Fourth.* In the fourth line of section 6, strike out all after the word “committee,” and insert “for the use of the school fund.”

*Fifth.* In the fourth line of section 8, strike out the words “and bedding.”

*Sixth.* In the sixth line of section 9, strike out all after the words “of the,” and insert “person so impounding.”

*Seventh.* Strike out all of section 10, and, as amended, your committee unanimously recommend that it do pass.

M. J. ROHLFS, *Chairman.*

Mr. Tufts, from the Committee on Suppression of Intemperance, submitted the following report :

MR. SPEAKER—Your Committee on Suppression of Intemperance, to whom was referred House File No. 69, A bill for an act to amend chapter 64, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with a substitute, and recommend that the substitute do pass.

SANBORN,  
MERRITT,  
NORRIS,  
TUFTS,  
*Majority.*

J. Q. TUFTS, *Chairman.*

**MR. SPEAKER**—Your Committee on Suppression of Intemperance to whom was referred House File No 136, A bill for an act to provide guardians for inebriates and other acceptable persons beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. Q. TUFTS, *Chairman.*

**Mr. Dudley**, from the Committee on Claims, submitted the following report:

**MR. SPEAKER**—Your Committee on Claims to whom was referred House File No. 150, A bill for an act for the relief of Marion county for moneys stolen from the county safe beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended first by striking out publication clause and adding a proviso as section second of the bill.

C. DUDLEY, *Chairman.*

**Mr. Hartshorn** from the Committee on Police Regulations submitted the following report:

**MR. SPEAKER**—Your Committee on Police Regulations to whom was referred House File No. 180, A bill for an act to increase the penalty for a violation of section 4,392, Revision of 1860, an act to compel the observance of the Sabbath beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

HARTSHORN, *Chairman.*

**Mr. Tolliver** from Committee on County and Township Organization submitted the following report:

**MR. SPEAKER**—Your Committee on County and Township Organization to whom was referred House File No. 181, A bill for an act to constitute Township Trustees and Board of Equalization, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment, viz: add to section 3 thereof the following; "and it shall be the duty of the Township Assessor to meet with said board and correct the assessment books as they may direct."

G. S. TOLLIVER, *Chairman.*

**MR. SPEAKER**—Your Committee on County and Township Organization to whom was referred House File, No. 186, A bill for

an act to repeal section 9 and 10 of chapter 61 of the Laws of the Eleventh General Assembly, relating to the Assessment of Real Estate in alphabetical order, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. TOLLIVER, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Pratt introduced House File No. 188, A bill for an act to enforce chapter 102 of the Acts of the Ninth General Assembly. Read first and second time and referred to Committee on Agriculture.

Mr. Crawford introduced House File No. 189, A bill for an act to authorize the assessments of improvements in real property. Read first and second time and referred to Committee on Ways and Means.

Mr. Dickerson introduced House File No. 190, A bill for act to amend section 1, chapter 118, of the Acts of the Eleventh General Assembly. Read first and second time and referred to the Committee on Printing.

Mr. Teale introduced House File No. 191, A bill for an act to amend section 3729, Revision of 1860. Read a first and second time and referred to the Committee on Judiciary.

The hour having arrived to take up special order, the substitute for House File No. 3, was taken up and read a third time. Upon the question, shall the bill pass? the yeas and nays were as follows—

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Green, Harper, Harrington, Hartenbower, Hartshorn, Hobson, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Teale, Tolliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—80.

The nays were—

Messrs. Christoph, Crawford, DeGroat, Dunne, Gibbons, Harrison, Haycock, Hood, McGavren, Rogers, Staatsman, and Taylor—12.

Absent or not voting—

Messrs. Brown of Fayette, Butterfield, Conner, Faville, Hirschler, Miracle, Williams, and Wood—8.

So the bill passed and the title was agreed to.

On motion of Mr. Harper, House File No. 1, A bill for an act to amend chapter 86 of the Revision of 1860, regulating the sale of school lands and for the protection of the Permanent School Fund, together with the substitutes presented by the majority and minority of the School Committee, were taken up and considered.

Mr. Marks moved that the substitute of the minority be adopted. The motion did not prevail.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 101, A bill for an act to provide for the purchase of G. Green's Reports of the Decision of the Supreme Court of Iowa; also that the Senate has passed, without amendment, substitute for House File No. 90, A bill for an act to amend the School Laws of Iowa.

J. A. T. HULL,  
*First Assistant Secretary.*

Mr. Sater moved to amend as follows:

"And be it further enacted that of the judgment of the majority of the Board of Supervisors, shall be that the best interest of the Permanent School Fund will be secured by leasing any part or all of the School Lands belonging to their respective counties for a term of not more than five years, for no other purpose than that of securing permanent improvements on such lands, they may and are hereby authorized to make and execute contracts for that purpose.

The motion was lost.

The substitute was adopted.

Mr. Ketcham moved that the rule be suspended, the bill be considered engrossed, and read a third time now.

Mr. Rowell moved that when the House adjourns it be to 10 o'clock to-morrow morning.

Mr. Murdock moved to amend to 2 o'clock P. M.

On motion of Mr. Russell, the House adjourned until 2 P. M.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

House resumed the consideration of the substitute for House File No. 1.

Mr. Rogers moved that the bill in consideration be recommitted.

Mr. Irish moved that there be a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Leave of absence was granted Mr. Mahin.

Mr. Sanborn moved that further proceedings under the call be suspended. The motion prevailed.

The question recurring, shall the rule be suspended and the bill considered engrossed and read a third time now? prevailed.

The bill was read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Tait, Taylor, Teale, Tolliver, Tufts—67.

The nays were—

Messrs. Christoph, Crawford, Day, DeGroat, Dunne, Elbert, Hunter, McCoun, McGavren, Merritt, Miles of Wayne, Rogers, Russell, Spencer, Stone, Stutsman, Traer, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—21.

Absent or not voting—

Messrs. Carpenter, Conner, Faville, Harrington, Hirschler, Hopkins, Mahin, Miracle, Murdock, Swan, Williams and Wood—12.

The bill passed and the title was agreed to.

Mr. Traer moved to take up House File No. 38, and Senate File No. 12. The motion did not prevail.

#### INTRODUCTION OF BILLS.

Mr. Lacey introduced House File No. 192, A bill for an act to protect qualified physicians and surgeons, and to establish boards of medical examiners in the State of Iowa. Read a first and second time and referred to Committee on Medical Institutions.

Mr. Rowell moved to take up bills on second reading. The motion did not prevail.

#### RESOLUTIONS.

Mr. Ball offered the following resolution, which was referred to Committee on Printing.

*Resolved*, That the Committee on Printing be directed to inquire into the expediency of providing by law for the selection and publication within this State of school books to be used in the Iowa public schools, and whether the same could not be, in this manner, furnished to scholars at cheaper rates than at present paid.

Mr. Ball offered the following resolution, which was referred to the Committee on Constitutional Amendments:

*Be it resolved by the General Assembly of the State of Iowa,* That the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed:

Strike out of section 11 of article I the following words, "and no person shall be held to answer for any higher criminal offense, unless on presentment or indictment by a grand jury, except in cases arising in the army or navy, or in the militia, when in actual service, in time of war or public danger", and insert the following in place thereof: "And the General Assembly shall provide for the commencement of proceedings against persons charged with higher criminal offenses, either by presentment, or by information, or by other proceedings before a judicial officer."

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 84, A bill for an act to legalize the devoting of the swamp and overflowed lands, and the indemnity lands obtained for swamp and overflowed lands of Cerro Gordo County, Iowa, to the construction of the McGregor & Sioux City Railway through said county.

Senate File No. 24, A bill for an act to legalize new indices in the recorder's office of Lee county, Iowa, at Keokuk.

Also, that the Senate has concurred in the House amendments to the joint resolution relative to the removal of the national capitol.

JAMES M. WEART, *Secretary.*

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 13, A bill for an act authorizing County Auditors to administer oaths and providing a seal for said officers. Read a first and second time and referred to committee on Judiciary.

Senate File No. 101, A bill for an act to provide for the purchase of G. Green's Reports of the Decisions of the Supreme Court of Iowa. Read a first and second time and referred to the Committee on Judiciary.

Senate File No. 24, A bill for an act to legalize indices in the recorder's office at Keokuk, Lee County, Iowa. Read first and second time and referred to the Committee on County and Township Organization.



Senate File No. 84, A bill for an act to legalize the devoting of the swamp, overflowed lands and the indemnity lands for swamp and overflowed lands of Cerro Gordo county, Iowa, to the construction of the McGregor and Sioux City railroad through said county. Read first and second time.

On Motion of Mr. Hartshorn, the rule was suspended, and the bill considered engrossed and was read a third time. On the question, shall the bill pass?

The yeas and nays were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Campbell, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stanchfield, Stone, Tait, Taylor, Tolliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—74.

The nays were:—

Messrs. Butler, Butterfield, Dudley, Hobson, Lacey, McCoun, Morrison, Sater, Spencer, Stewart, Stutsman, Teale.—12.

Absent or not voting:—

Brown of Fayette, Carpenter, Conner, Faville, Hirschler, Kasson, Mahin, Merritt, Miracle, Murdock, Parsons, Swan, Williams, and Wood.—14.

So the bill passed and the title was agreed to.

Mr. Tolliver from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—Your Committee on Enrolled Bills, to whom was referred the memorial and joint resolution asking Congress for a grant of land to aid in the construction of a railroad from O'Brien county, Iowa, to some point on the Missouri river, at or near Yankton, in Dakota Territory, beg leave to report that they find the same to be correctly enrolled.

G. S. TOLLIVER, *Chairman.*

#### BILLS OF SECOND READING.

On motion of Mr. Beresheim, House File No. 108, A bill for an act legalizing certain elections in the city of Council Bluffs, and also legalizing the acts of officers elected thereat, was taken up and read a second time.

On motion of Mr. Beresheim, the rule was suspended, the bill considered engrossed, and read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—89.

The nays were—

Mr. Dudley—1.

Absent or not voting—

Messrs. Brown of Fayette, Carpenter, Conner, Faville, Hirschler, Kasson, Mahin, Miracle, Williams, and Wood—10.

So the bill passed and the title was agreed to.

House File No. 63, A bill for an act to amend chapter 124, Revision 1860, was read a second time.

On motion of Mr. Rowell, the rule was suspended, the bill considered engrossed, and read a third time.

Mr Stutsman moved that the House reconsider the vote by which the bill was ordered read a third time. The motion did not prevail.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Brown of Van Buren, Butler, Canipbell, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Keables' Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Swan, Teale, Tolliver, Warner, Wilson, Mr. Speaker—67.

The nays were—

Messrs. Beatty, Bonewitz, Bundy, Butterfield, Demont, Harrington, Hartenbower, Hunter, McCoun, Noel, Russell, Sater, Satterthwaite, Stutsman, Tait, Traer, Tufts, Wasson, Wright of Allamakee, Wright of Sac—20.

Absent or not voting—

Messrs. Brown of Fayette, Carpenter, Conner, Faville, Hirschler, Kasson, Mahin, Merritt, Miracle, Parsons, Taylor, Williams, and Wood—13.

So the bill passed and the title was agreed to.

House File No. 82, A bill for an act to repeal certain sections in chapter 92 of the laws of the Twelfth General Assembly was taken up and considered.

Mr. Ketcham moved that the bill be indefinitely postponed.

On motion of Mr. Dunne, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 9, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. A. Field.

The Journal of yesterday read and approved.

#### PETITIONS.

The Speaker presented a petition of J. L. Henly and others, asking for the passage of a law, designated a "Restraining Liquor Law."

On motion of Mr. Traer, the House resumed the consideration of House File No. 82, A bill for an act to repeal certain sections in chapter 92 of the laws of the Twelfth General Assembly.

The motion to indefinitely postpone prevailed.

#### REPORT OF COMMITTEES.

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

Senate File No. 84, A bill for an act to legalize the devoting of the swamp and overflowed lands, and the indemnity lands obtained for swamp and overflowed lands of Cerro Gordo county, Iowa, to the construction of the McGregor and Sioux City Railway through said county.

House File No. 90, A bill for an act to amend the school laws of Iowa.

House File No. 99, A bill for an act to repeal chapter 22 of the acts of the Twelfth General Assembly, and revive and re-enact the last paragraph of section 1, of chapter 45, of the acts of the Eleventh General Assembly, fixing the time of holding the district court in Hardin county.

G. S. TOLLIVER, *Chairman*.

Mr. Traer, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House File No. 173, A bill for an act authorizing counties to build bridges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying substitute, and recommend its passage.

TRAER, *Chairman*.

Mr. Wilson, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 162, A bill for an act to encourage the development and manufacture of salt, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture, to whom was referred Senate File No. 39, A bill for an act to amend section 7, chapter 102, of the laws of the Ninth General Assembly, relative to the publication of notices of estrays, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 188, A bill for an act to enforce chapter 102 of the acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 175, A bill for an act establishing and defining wire fences, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House File No. 105, A bill for an act to amend sections 1544 and 1545 of the Revision of 1860, in relation to fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass.

JAMES WILSON, *Chairman*.

Mr. Taylor, from the Committee on Incorporations, submitted the following report :

The Committee on Incorporations to whom was referred Senate File No. 16, A bill for an act to amend sections 1068, 1069, and 1070 of the Revision of 1860 and to provide additional means for the collection of charges, assessments, and taxes on lots of lands in municipal corporations, would respectfully report that they have had the same under consideration and recommend that it do pass.

H. B. TAYLOR, *Chairman pro tem*.

Mr. Ketcham, from the Committee on Schools, submitted the following report :

MR. SPEAKER—Your committee on Schools to whom was referred House File, No. 104, A bill for the annexation of sections 1, 12, and north half of section 13, township 88, range 1, west, to the Independent School district of Epworth, Dubuque county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

HARPER, *Chairman*.

Mr. Tolliver, from the Committee on County and Township Organizations, submitted the following report :

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred House File No. 170, A bill for an act to repeal section 3 of chapter 160 of the acts of the Twelfth General Assembly and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. TOLLIVER, *Chairman*.

Mr. SPEAKER—Your Committee on County and Township Organization to whom was referred House File No. 164, A bill for an act to legalize the incorporation of Toledo, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

G. S. TOLLIVER, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Keables introduced House File No. 193, A bill for an act to further advertise estrays. Read a first and second time and referred to the Committee on Agriculture.

Mr. Wright, of Sac, introduced House File No. 194, A bill for an act to amend section 4235 of the Revision of 1860. Read a first and second time and referred to the Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR.

A message from the Governor was received in relation to the Wisconsin and Fox River Improvements.

#### RESOLUTIONS.

Mr. Statsman offered the following resolutions:

*Be it resolved by the House of Representatives of the State of Iowa*, 1st, That the Legislature of this State shall be governed by and adhere to principles of the strictest economy in the public expenditures, to the end that the burthen of taxation may be reduced.

2nd, That this Legislature will make no appropriation of the public moneys whatever—for any purpose—except for such as may be demanded by the most urgent necessity, and for the purpose of defraying the necessary and actual expenses of the State institutions and State government, and thereby secure to the State the maintenance of the happy financial condition to which she has attained.

On motion of Mr. Kasson, the resolutions were acted on separately.

The resolution relating to the strictest economy in public expenditures was adopted.

On the adoption of the resolution in relation to the appropriation of public moneys, and the necessary and actual expenses of the State institutions and State government, Mr. Applegate moved to lay on the table, and Messrs. Applegate and Dunne demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Butler, Crawford, Green, Huff, Noel, Swan—10.

The yeas were—

Messrs. Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Tolliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—74

Absent or not voting—

Messrs. Brown of Fayette, Campbell, Christoph, Conner, Day, Faville, Mahin, McCoun, Merritt, Miller, Miracle, Parsons, Rogers, Satterthwaite, Williams, and Wood—16.

The motion to lay on the table did not prevail.

Mr. Kasson moved that the resolution be referred to the Committee on Public Buildings.

Messrs. Dunne and Morrison demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Beresheim, Bonewitz, Butler, Crawford, Day, Dickerson, Gibbons, Harper, Hartshorn, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Lee, Lommen, Marks, McGavren, Miles of Washington, Millard, Mills, Murdock, Noel, O'Donnell, Parsons, Pratt, Rohlf, Rowell, Sanborn, Snow, Spencer, Stewart, Stone, Swan, Taylor, Teale, Traer, Wright of Sac, Mr. Speaker.—45.

The nays were—

Messrs. Ball, Beatty, Brown of Van Buren, Bundy, Butterfield, Carpenter, Carver, Cutts, DeGroat, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hopkirk, Ketcham, Lacey, Miles of Wayne, Morrison, Newbold, Norris, Rosser, Sater, Stanchfield, Stutsman, Tait, Tolliver, Tufts, Warner, Wasson, Wilson, Wright of Allamakee—49.

Absent or not voting—

Messrs. Brown of Fayette, Campbell, Christoph, Conner, Faville, Mahin, McCoun, Merritt, Miller, Miracle, Rogers, Russell, Satterthwaite, Williams, and Wood—15.

On motion of Mr. Kasson, the message of the Governor was referred to the Committee on Federal Relations, and one thousand copies ordered to be printed,

Leave was granted Mr. Wilson to introduce House File No. 195, A bill for an act to amend chapter 47, acts of the Twelfth General Assembly. Read a first and second time, and referred to the Committee on Roads and Highways.

Mr. Wilson introduced House File No. 196, A bill for an act to make towns and cities independent road districts. Read a first and second time and referred to the Committee on Roads and Highways.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed by the Senate to ask that Senate File No. 101, A bill for an act to provide for the purchase of G. Green's reports of the decisions of the Supreme Court of Iowa, be returned to the Senate.

J. A. T. HULL, *1st Asst. Secretary.*

Leave was granted Mr. Russell to call up House File No. 38, A bill for an act for the sale of real estate for taxes, which was read a second time.

Mr. Russell moved that the rule be suspended and the bill considered engrossed, and read a third time now.

Mr. Ketcham moved that the bill be recommitted.

Mr. Crawford moved that the House do now adjourn. The motion did not prevail.

Mr. Wilson moved that when the House adjourn it be until tomorrow morning at eight o'clock. The motion prevailed.

Mr. Tolliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following joint resolution, and find the same correctly enrolled : A joint resolution in relation to the removal of the national capital.

G. S. TOLLIVER, *Chairman.*

On motion of Mr. Haycock, the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES,  
February 10, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Pursuant to the concurrent resolution of the two houses, the Speaker declared the House adjourned until 10 o'clock a. m., February 23, 1870.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
February 23, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. A. Dinsmore.

The Journals of the 9th and 10th of February, 1870, were read and approved.

PETITIONS.

Mr. Sanborn presented a petition from F. Marshall, and forty other citizens of Delaware county, Iowa, asking for the enactment of a law fixing the maximum of freight charges they shall be allowed to collect on all land grant railroads in the State of Iowa. Referred to Committee on Railroads.

Mr. Elbert presented a petition from the citizens of Monroe county, asking that the board of supervisors in each county be reduced to three, and that they be elected by the county at large. Referred to the Committee on County and Township Organization.

INTRODUCTION OF BILLS.

Mr. Mills introduced House File No. 197, A bill for an act to provide rules and regulations for railroads. Read a first and second time and referred to the Committee on Railroads.

Mr. Merritt introduced House File No. 198, A bill for an act to amend section 8, chapter 49, of the Laws of the Ninth General Assembly, requiring a two-thirds vote to remove a county seat. Read a first and second time and referred to the Committee on Judiciary.

Mr. Greene introduced House File No. 199, A bill for an act to amend section 40, chapter 138, of the Laws of the Twelfth General Assembly, in relation to insurance companies. Read a first and

second time, and, on motion of Mr. Greene, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Fayette, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrison, Haycock, Hood, Hopkirk, Huff, Keables, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Teale, Tolliver, Traer, Tufts, Warner, Wilson, Wood, Wright of Sac, and Mr. Speaker.—65.

The nays were none.

Absent or not voting—

Messrs. Beatty, Beresheim, Brown of Van Buren, Butler, Conner, Day, Gibbons, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hopkins, Hunter, Irish, Jones, Kasson, Ketcham, Lommen, McCoun, Miles of Washington, Millard, Murdock, Pratt, Rosser, Russell, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, and Wright of Allamakee.—35.

So the bill passed and the title was agreed to.

Mr. McGavren introduced House File No. 200, A bill for an act for the relief of Harrison county, Iowa, for money stolen from the county safe. Read a first and second time and referred to the Committee on Judiciary.

Mr. Merritt introduced House File No. 201, A bill for an act to legalize the acts of Ashford B. Elwood, a deputy recorder of Montgomery county, Iowa. Read a first and second time and referred to the Committee on Judiciary.

#### BILLS ON SECOND READING.

Leave was granted Mr. Wilson to call up House File No. 164, A bill for an act to legalize the incorporation of Toledo, Iowa, and, on motion of Mr. Wilson, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Haycock, Hood, Hopkirk, Huff, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McCoun, McGav-

ren, Merritt, Miles of Wayne, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Teale, Tolliver, Traer, Tufts, Warner, Wilson, Wood, Wright of Sac, Mr. Speaker.—69.

The nays were, none.

Absent or not voting—

Messrs. Beatty, Bereshiem, Conner, Day, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hopkins, Hunter, Irish, Jones, Lommen, Miles of Washington, Millard, Miller, Murdock, Rosser, Russell, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, Wright of Allamakee.—31.

The bill passed and the title was agreed to.

Leave was granted Mr. Warner to call up House File No. 171, A bill for an act legalizing the incorporation of the Regular Baptist Church, at Jordan's Grove, in Linn county, State of Iowa, which was read a second time.

On motion of Mr. Warner the rule was suspended and the bill was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Haycock, Hirschler, Hood, Hopkirk, Huff, Irish, Kasson, Keables, Lacey, Lee, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Rogers, Rohlf, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Teale, Tolliver, Traer, Tufts, Warner, Wilson, Wood, Wright of Sac, and Mr. Speaker.—67.

The nays were none.

Absent or not voting—

Messrs. Beatty, Beresheim, Brown of Fayette, Conner, Day, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hopkins, Hunter, Jones, Ketcham, Lommen, Mahin, Miles of Washington, Millard, Murdock, Parsons, Pratt, Rosser, Russell, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, and Wright of Allamakee.—33.

So the bill passed and the title was agreed to.

Leave was granted Mr. Lee to call up Senate File No. 16, A bill for an act to amend sections 1068, 1069, and 1070, of the Revision of 1860, and to provide additional means for the collection of charges, assessments, and taxes on lots of land within municipal corporations, which was read a second time.

On motion of Mr. Lee the rule was suspended and the bill read

a third time, and, on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Bail, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, DeCroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Green, Harper, Haycock, Hood, Hopkirk, Kasson, Keables, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Miller, Mills, Miracle, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlfis, Rowell, Sanborn, Stanchfield, Stutsman, Teale, Tolliver, Warner, Wood, Wright of Sac, Mr. Speaker.—52.

The nays were—

Messrs. Applegate, Arnold, Bell, Crawford, Dunne, Elbert, Hirschler, Lacey, Morrison, Newbold, Satterthwaite, Spencer, Traer, Tufts.—15.

Absent or not voting—

Messrs. Beatty, Beresheim, Conner, Day, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hopkins, Hunter, Irish, Jones, Ketcham, Lommen, Miles of Washington, Millard, Murdock, Pratt, Rosser, Russell, Sater, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, Wilson, Wright of Allamakee.—33.

So the bill passed and the title was agreed to;

Leave was granted Mr. McGavren to call up House File No. 80, A bill for an act to legalize the organization of Independent School District of Dunlap, county of Harrison, Iowa, which was read a second time, and on motion of McGavren, the rule was suspended, and the bill read a third time, and on question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Haycock, Hirschler, Hood, Hopkirk, Huff, Jones, Keables, Lacey, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlfis, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Teale, Tolliver, Tufts, Warner, Wilson, Wood, Wright of Sac, and Mr. Speaker.—68.

The nays were—

Mr. Traer.—1.

Absent or not voting—

Messrs. Beatty, Beresheim, Conner, Day, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hopkins, Hunter, Irish, Kasson, Ketcham, Lommen, Miles of Washington, Millard, Murdock, Noel,

Pratt, Rosser, Russell, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, and Wright of Allamakee.—31.

So the bill passed and the title was agreed to.

Leave was granted Mr. Huff to call up House File No. 57, a bill for an act to punish slander and defamation, which was read a second time, and the amendments of the committee were concurred in.

Mr. Huff moved to amend section 2, as follows :

*Provided*, however, the provisions of this act shall not be understood as extending to anything said in political discussions, or in the argument of counsel in the courts. The motion to amend did not prevail.

On motion of Mr. Huff the rule was suspended and the bill read a third time, and, upon the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bonewitz, Brown, of Fayette, Butler, Carver, Elbert, Faville, Harper, Huff, Jones, Kasson, Keables, Lee, Marks, Mills, Miracle, Noel, O'Donnell, Parsons, Rodgers, Rowell, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Teale, Tolliver, Traer, Wilson, Wood, Mr. Speaker—33.

The Nays were—

Messrs. Bell, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Gibbons, Greene, Haycock, Hirschler, Hopkirk, Lacey, Mahin, McCoun, McGavren, Merrit, Miles of Wayne, Miller, Morrisson, Newbold, Norris, Rohlf, Sanborn, Tufts, Warner, Wright of Sac—36.

Absent or not voting—

Messrs. Ball, Beatty, Beresheim, Connor, Day, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hunter, Irish, Ketcham, Lommen, Miles of Washington, Millard, Murdock, Pratt, Rosser, Russell, Snow, Stewart, Stone, Swan, Tait, Taylor, Wasson, Williams, Wright of Allamakee—31.

So the bill was lost.

Mr. Dudley moved to reconsider the vote by which the bill failed to pass.

On motion of Mr. Dumont the motion to reconsider was laid on the table.

Leave was granted Mr. DeGroat to call up House File No. 50, A bill for an act to authorize the building of bridges across the Maquoketa river, in Jackson County, Iowa, which was read a second time, and on motion of Mr. DeGroat the rule was suspended, the bill considered engrossed, and read a third time, and on the question shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Car-

penter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Green, Harper, Haycock, Hirschler, Hood, Hopkirk, Huff, Jones, Kasson, Keables, Lacey, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Rohlf, Rowell, Sanborn, Sater, Saterthwaite, Spencer, Stanchfield, Teale, Tolliver, Traer, Tufts, Warner, Wilson, Wood, Wright of Sac, Mr. Speaker—65.

The nays were—none.

Absent or not voting—

Messrs. Ball, Beatty, Beresheim, Connor, Day, Evans, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hopkins, Hunter, Irish, Ketcham, Lommen, Miles of Washington, Millard, Miller, Murdock, Parsons, Pratt, Rogers, Rosser, Russell, Snow, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Wasson, Williams, and Wright of Allamakee—35.

So the bill passed and the title was agreed to.

Leave was granted Mr. Stanchfield to call up House File No. 173, with substitute, A bill for an act to authorize counties to build bridges, which were read a second time.

Mr. Stanchfield moved that the substitute be adopted.

Mr. Dudley moved to amend by adding to section 1st, "*and provided further*, that the Boards of Supervisors shall not appropriate more money than they are now allowed by law to levy for bridge purposes in any year."

Mr. Dunne moved that the House do now adjourn. The motion did not prevail.

The motion to amend was lost.

Mr. Dunne moved that the House do now adjourn. The motion did not prevail.

The substitute reported by the committee was adopted.

M. Applegate moved that the House adjourn. The motion did not prevail.

On motion of Mr. Mahin the House adjourned until to-morrow morning at ten o'clock.

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HALL OF THE HOUSE OF REPRESENTATIVE , }  
DES MOINES, IOWA, February 24, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. I. Hobbs.

The journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked :

Substitute for Senate File No. 45, A bill for an act to regulate the crossing of railroads and to regulate the running of trains at such crossings, and at the crossings of streets and highways.

Senate File No. 74, A bill for an act to amend Article 3, of chapter 55 of the Revision of 1860, granting right of way to railroad companies.

Senate File No. 87, A bill for an act regulating the appointment and duties of State Librarian, and of the Board of Commissioners.

JAMES M. WEART, *Secretary.*

## PETITIONS.

Mr. Harper presented a petition of Dedrich Brandmyer and others asking that the west half of sections 5 and 8, township 70, range 2, in Independent District No. 10, Burlington township, be annexed to sub-district No. 9, district township of Burlington. Referred to Committee on Schools.

Mr. Harper presented a petition of Wm. H. Stair and others for the e. hf. of sec. 12 and 13 and n.e. qr. of sec. 24 in Flint River township, Des Moines county, be annexed to sub district No. 9 in district township of Burlington. Referred to Committee on Schools.

Mr. Stutsman presented a petition of the citizens of Lucas county, asking that the Legislature enact a law regulating the rates of tariff on Land Grant Railroad in this State. Referred to the Committee on Railroads.

Mr. Stutsman presented a petition from the citizens of Lucas county, asking the Legislature to enact a law making the issuing of free passes by railroad corporations to members of the General Assembly and other State officers a criminal offense, also making it criminal for any such officer to accept any such pass.

Referred to Committee on Railroads.

Mr. Hopkirk presented a petition from H. M. Kauffman, and other citizens asking that the Legislature do not pass a bill establishing State Normal Schools.

Referred to Committee on Schools.

Mr. Sater presented a petition from H. Barnell and other citizens of Des Moines county asking that the property of Railroads be taxed.

Referred to the Committee on Railroads.

Mr. Elbert presented a petition from Samuel Nickel and other

citizens asking that Railroad Companies be required to fence their roads with lawful fence.

Referred to Committee on Railroads.

Mr. Morrison presented a petition from G. D. Wooden and others of Keokuk county asking a liberal increase of the salaries of the Supreme, District, and Circuit Judges.

Referred to Committee on Compensation of Public Officers.

Mr. Tait presented a petition from Harrison, Newton, and other citizens of Mariposa Township, Jasper county, asking the enactment of a judicious and efficient herd law.

Referred to Committee on Agriculture.

Mr. Sanborn presented a petition from James Wilson and other citizens of Delaware county asking for the enactment of a law fixing the maximum of freight charges that all land grant railroads shall be allowed to charge in the State of Iowa.

Referred to Committee on Railroads.

Mr. Gibbons presented a petition from the citizens of Fort Madison, asking that chapter 67 of the acts of the Twelfth General Assembly be so amended that cities may hereafter settle their Railroad indebtedness under the provisions of said chapter, and that they be permitted to vote twice a year upon the question of settling such indebtedness.

Referred to Committee on Ways and Means.

Mr. Butler presented a petition from S. H. Kridelbaugh, M. D., and other medical men of Page county, asking the establishment of a medical school, in connection with the State University.

Referred to Committee on Medical Institutions.

Mr. Arnold presented a petition from certain citizens of Marshalltown, asking that "so much of section 17, chapter 173, acts of the Ninth General Assembly, as relates to the payment of a fee of five per cent to the deputy-collector for delinquent taxes be repealed.

Referred to Committee on Ways and Means.

#### INTRODUCTION OF BILLS.

Mr. Arnold introduced House File No. 202, A bill for an act to amend section 17, chapter 173 of the laws of the Ninth General Assembly. Read first and second time and referred to Committee on Ways and Means.

Mr. Arnold introduced House File No. 203, A bill for an act to amend section 3293, of chapter 125 of the Revision of 1860. Read a first and second time and referred to the Committee on Judiciary.

Mr. Kasson introduced House File No. 204, A bill for an act to amend the law in respect to the liens of mechanics and others. Read first and second time and referred to Committee on Judiciary.



Mr. Bundy introduced House File No. 205, A bill for an act to legalize the acts of Ira E. Draper, a notary public of Jasper county, read a first and second time, and referred to Committee on Judiciary.

Mr. Snow introduced House File No. 206, A bill for an act to amend chapter 92 of the acts of the Twelfth General Assembly. Read a first and second time, and referred to Committee on Agriculture.

Mr. Butterfield introduced House File No. 207, A bill for an act to amend chapter 135 of the acts of Eleventh General Assembly. Read a first and second time, and referred to Committee on Agriculture.

Mr. Kasson introduced House File No. 208, A bill for an act to legalize the sale of certain lands by Polk county. Read a first and second time, and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Harper offered the following resolution :

*Resolved*, That the Committee on Railroads be, and they are hereby instructed to report to this House, by the first day of March, a bill for an act providing for the taxation of personal and real property within the State belonging to railroad corporations.

Mr. Wilson moved to amend by striking out "personal and real." The motion to amend prevailed.

The resolution as amended was adopted.

Mr. Kasson offered a joint resolution in relation to the civil contests in the island of Cuba, which was referred to Committee on Federal Relations.

Mr. Sanborn offered the following resolution which was referred to the Committee on Federal Relations.

*Be it resolved by the Legislature of the State of Iowa*, That our senators in Congress be instructed and our Representatives requested, to use their influence for the early establishment of a mail route from Manchester, in Delaware county, via Milo, Golden Prairie, Hazel Green, Uniontown, Buck Creek, Grove Creek, and Castle Grove, to Monticello, in Jones county, and back twice a week.

On motion of Mr. Mills, the resolution in relation to the civil contest in Cuba was ordered to be printed.

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 74, A bill for an act to amend article 3, of chapter 55, of the Revision of 1860, granting right of way to railroad companies. Read a first and second time and referred to Committee on Railroads.

Substitute for Senate File No. 45, A bill for an act to regulate

the crossings of railroads, and to regulate the running of trains at such crossings and at the crossings of streets and highways. Read a first and second time and referred to Committee on Roads and Highways.

Senate File No. 87, A bill for an act regulating the appointment and duties of a State librarian, and of a board of commissioners. Read a first and second time and referred to the Committee on Library.

#### BILLS ON SECOND READING.

On motion of Mr. Mahin, substitute for House File No. 173, A bill for an act authorizing counties to build bridges, was taken up.

On motion of Mr. Mahin, the rule was suspended and the bill read a third time. On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Crawford, Cutts, DeGroat, Dunne, Durham, Gibbons, Green, Harper, Hartenbower, Hirschler, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Miracle, Morrison, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Sanborn, Satterthwaite, Snow, Stanchfield, Stewart, Stutsman, Swan, Tait, Toliver, Traer, Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—60.

The nays were—

Messrs. Bonewitz, Brown of Fayette, Butterfield, Carver, Christoph, Day, Dickerson, Dudley, Dumont, Elbert, Evans, Harrison, Haycock, Hobson, Hopkins, Hopkirk, Lommen, Millard, Miller, Newbold, Russell, Sater, Spencer, Taylor, Teale, Tufts, Williams, and Wright of Sac—28.

Absent or not voting—

Messrs. Beatty, Beresheim, Connor, Faville, Harrington, Hartshorn, Miles of Washington, Mills, Murdock, Parsons, Rosser, and Stone—12.

So the bill passed and the title was agreed to.

Leave was granted Mr. Kasson to call up House File No. 103, A bill for an act to provide for the funding of county indebtedness, and for the payment thereof.

Mr. Kasson offered a substitute which was adopted.

On motion of Mr. Kasson, the rule was suspended and the bill read a third time.

Upon the question shall the bill pass? The yeas and nays were as follows:

Messrs. Applegate, Arnold, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley,

Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—80.

The nays were—

Messrs. Ball, Hopkirk, Ketcham, Miller, Rowell, Russell, Wilson—7.

Absent or not voting—

Messrs. Beatty, Beresheim, Brown of Fayette, Conner, Faville, Harrington, Hartshorn, Miles of Washington, Murdock, Parsons, Rosser, Stone, and Williams,—18.

So the bill passed, and the title was agreed to.

House File No. 51, A bill for an act to protect the fur trade in the State of Iowa, was taken up and the amendments reported by the Committee concurred in.

Mr. Wilson moved that the rule be suspended, and the bill read a third time. The motion did not prevail.

Mr. Dudley moved to lay the bill on the table. The motion was lost.

On motion of Mr. Wilson the Bill was ordered engrossed and to be read a third time, March 4th, 1870.

House File No. 37, a bill for an act to amend sections 2, 3, and 4 of chapter 61, laws of the Twelfth General Assembly, entitled an act to provide for the incorporation of towns and cities was taken up and read a second time.

On motion of Mr. Russell the bill was laid on the table.

House file No. 85, A bill for an act to amend section 4881 of chapter 218 of the Revision of 1860, was read a second time.

On motion of Mr. Stutsman the bill was laid on the table.

House File No. 94, A bill for an act to amend section 4538 of Revision of 1860, in relation to clerk's certificates, was taken up and read a second time.

On motion of Mr. Huff the rule was suspended and the bill read a third time. On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables,

Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Ball, Beatty, Beresheim, Brown of Fayette, Conner, Faville, Harrington, Hartshorn, Miles of Washington, Murdock, Rosser, Stone—12.

So the bill passed and the title was agreed to.

Mr. Haycock moved that the House do now adjourn. The motion did not prevail.

Mr. Rowell moved that when the House adjourns, that it be until to-morrow morning at 10 o'clock. The motion prevailed.

On motion of Mr. Rowell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 25, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. O. B. Jones.

The Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 55, A bill for an act to amend section 822 of the Revision of 1860, relative to bridges.

Also, House File No. 80, A bill for an act to legalize the organization of the Independent School District of Dunlap, county of Harrison, Iowa, with the following amendment: by inserting in section 3 the words, " and the Harrisonian, published at Missouri Valley, Iowa," in which the concurrence of the House is asked.

I also return herewith House File No. 164, A bill for an act to legalize the incorporation of the town of Toledo, in Tama county, which has passed the Senate without amendment.

JAMES M. WEART, *Secretary.*

## PETITIONS.

Mr. Taylor presented a petition from W. W. Putney, and other citizens of Clayton county, asking that certain lands be annexed to the Independent School District of Strawberry Point, for school purposes. Referred to Committee on Schools.

Mr. McCoun presented a petition from Daniel Underwood, and other citizens of Taylor county, asking that the House concur in the Senate bill for an act to amend article 11, of chapter 22, Revision of 1860, creating a board of supervisors, and acts amendatory thereto, which was placed on file.

Mr. Miles, of Washington, presented a remonstrance from citizens of Washington county, remonstrating against any appropriation being made for a new capitol. Referred to the Committee on Public Buildings.

Mr. Millard presented a petition from the citizens of Clarke county, asking the establishment of a normal school at Osceola. Referred to the Committee on Schools.

Mr. Campbell presented a petition from the citizens of Audubon county, for vacation of the town plat of Audubon City, in the county of Audubon, State of Iowa. Referred to Committee on Incorporations.

Mr. Dumont presented a memorial of the Board of Supervisors of Grundy county, asking that the acts of the Board of Supervisors of Grundy county be legalized.

Mr. Beatty presented a petition from the citizens of Cedar county, asking that the compensation of the Supreme, District, and Circuit Judges be increased.

Referred to the Committee on County and Township organizations.

Mr. Lee presented a petition from the citizens of Buchanan county, asking that the supervisor system be changed to a commissioner system.

Referred to Committee on County and Township organizations.

Mr. Brown of Van Buren, presented a petition from Wm. Fast and twenty other citizens of Van Buren and Jefferson counties praying for a law terminating the time for vacating roads established and not opened or worked.

Referred to the Committee on Roads and Highways.

Mr. McGavren presented a petition from D. R. Willer and others, asking that railroad property be taxed.

Referred to the Committee on Railroads.

Mr. Ketcham presented a petition from Patric Muldowny, asking for certain improvements about the Insane Hospital at Mount Pleasant.

Referred to Committee on Insane Asylum.

Mr. Hopkirk presented a petition from Horace Gaylord and

citizens of Jefferson, remonstrating against the establishment of Normal Schools. Referred to Committee on Schools.

REPORTS OF COMMITTEES.

Mr. Rohlf, from the Committee of Internal Improvements, submitted the following report:

MR. SPEAKER—Your Committee on Internal Improvements to whom was referred House File No. 184, A bill for an act to promote the settlement of Iowa, and appointing a Commissioner of Immigration, have had the same under consideration and have instructed me to report the accompanying bill as a substitute for the same, with the recommendation that the substitute do pass.

M. J. ROHLFS, *Chairman*.

Substitute ordered to be printed.

Mr. Rowell from the Committee on Judiciary submitted the following report:

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 13, A bill for an act authorizing county auditors to administer oaths and providing a seal for said officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Your committee would further report that in connection with the above they have considered House Files Nos. 20 and 24, and that Senate File No. 13 contains all the committee could recommend to the favorable consideration of this House. They therefore recommend that House File No. 20 and 24 be indefinitely postponed.

N. W. ROWELL, *Chairman*.

Mr. Evans from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 77, A bill for an act fixing the boundaries which each organized township is required to keep in repair upon all roads established upon township lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass with the following amendment, viz.: Strike out the word "that" from the first line of section 3 of said bill.

EVANS, *Chairman*.

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 196, A bill for an act to make

towns and cities independent road districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

EVANS, *Chairman.*

MR. SPEAKER—Your Committee on Roads and Highways, to whom was referred the substitute for Senate File No. 45, A bill for an act to regulate the crossings of railroads, and to regulate the running of trains at such crossings, and at the crossings of streets and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

EVANS, *Chairman.*

MR. SPEAKER—Your Committee on Roads and Highways, to whom was referred House File No. 195, A bill for an act to amend chapter 47 of the acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do not pass, as the provisions asked by the bill are already comprehended in the present law.

EVANS, *Chairman.*

Mr. Toliver, from the Committee on County and Township Organizations, submitted the following majority and minority reports :

MR. SPEAKER—Your Committee on County and Township Organizations to whom was referred the substitute for Senate Files Nos. 7 and 18, have had the same under consideration, and have instructed me to report the same back to the House, with the following amendment : Strike out sections one and two of said bill, and substitute the following, viz :

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That on and after the first Monday of January, 1871, the board of supervisors of each organized county of this State, shall consist of three members, who shall be qualified electors and be elected by the qualified voters of their respective counties, as hereinafter provided, at the annual election in each year, who shall hold their offices for three years, except as hereinafter provided, and are hereby authorized and empowered to do and perform all such duties as are now done and performed by the county board of supervisors,

SEC. 2. The board of supervisors of each county shall, at their June meeting in 1870, divide their counties into three districts, compose of contiguous territory, making the districts as nearly equal in population as practicable, but no township shall be divided in forming

supervisor districts, and each district shall be entitled to elect one supervisor at the general election of 1870, one of whom shall hold office for three years, one for two years, and one for one year, their respective terms to be determined by lot by the board of canvassers of said county, at the time of canvassing said vote, and annually thereafter there shall be one supervisor elected, who shall continue in office three years, and until his successor is elected and qualified. Said supervisor districts shall be numbered, and known by their respective numbers, The board of supervisors may re-district their respective counties at their June meeting of any year after each United States or State census, and shall take said census as a basis therefor.

A majority of said Committee recommend that the bill, as amended, do not pass.

G. S. TOLIVER, *Chairman.*

A minority of said Committee beg leave to report the substitute for Senate File No. 7 and 18, back to the House without amendment, and recommend that the same do pass.

TOLIVER,  
HARTENBOWER,  
MILLER,  
LACEY,

*In the Minority.*

#### INTRODUCTION OF BILLS.

Mr. Morrison introduced House File No. 209, A bill for an act to amend the road law. Read a first and Second time and referred to Committee on Roads and Highways.

Mr. Arnold introduced House File No. 210, A bill for an act to amend section 2803 of chapter 119 of the Revision of 1860. Read a first and second time and referred to Committee on Judiciary.

Mr. Dumont introduced House File No. 211, A bill to legalize the acts of the Board of Supervisors of Grundy County in regard to road matters. Read a first and second time and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Stanchfield offered the following resolution :

*Resolved by the General Assembly of the State of Iowa,* That on and after February 26th until it is otherwise ordered, the hour of convening be changed from ten to nine o'clock A. M., and that there shall be but one session held each day.

Mr. Wilson moved to amend by striking out the last clause.

Mr. Ketcham offered the following substitute :



*Resolved*, That on and after Monday next, 28th inst., the House will hold two sessions each day commencing at 10 A. M., and 2½ P. M., except on Saturday, when there shall be but one session.

The hour having arrived for consideration of special order the substitute for Senate File No. 7 and 18.

Leave was granted Mr. Irish to offer the following resolution which was referred to Committee on Constitutional amendments.

*Be it Resolved by the General Assembly of the State of Iowa*; That the following amendment to the State Constitution is hereby proposed.

Strike out section 25, of article 3 and substitute therefor, the following:

Each member of the General Assembly, shall receive as compensation the sum of two hundred dollars per annum; and the further sum of three dollars for every twenty miles traveled in going to and returning from the the place where the session of the General Assembly are held, by the nearest traveled route. And when convened in extra session they shall receive no extra compensation whatever, except mileage, as before provided.

On motion of Mr. Rowell, the House took up special order.

Mr. Toliver moved that the minority report be substituted for the majority.

Mr. Harper offered the following as an amendment. Strike out all after the enacting clause and insert the following:

That from and after the first Monday in January, 1871 the Board of Supervisors of each organized county of this State shall consist of five members where the population does not exceed twenty thousand, and for each additional five thousand the number of the Board shall be increased one, until the number reach seven, but in no case shall the number of the Board exceed seven.

SEC. 2. The supervisors of each county shall, at their July meeting, 1870, divide these counties into the number of districts that they are entitled to elect supervisors by section one of this act, making the districts as nearly equal in population as practicable, but no township shall be divided in forming supervisor districts, and each district shall be entitled to elect one supervisor at the general election of 1870, who shall hold these offices until their successors are elected and qualified. *Provided*, That any township having two-fifths or more of the entire population of the county shall be entitled to two of the five, six, or seven members and the districts shall be made with reference thereto.

SEC. 3. On the first Monday of January, 1871, the supervisors elect shall decide by lot the length of their respective terms of office, so that in those counties entitled to only three supervisors, one shall hold his office for one year, two for two years, and two for three years. And in counties entitled to six supervisors, two shall hold their office three years, two for two years, and two for one year; and in counties entitled to seven, three shall hold their office for three years, three

for two years, and one for one year; and at every general election thereafter all vacancies shall be filled by an election of a person in the district where the vacancy occurs.

SEC. 4. Said supervisors shall qualify as now prescribed by law.

SEC. 5. Said board of supervisors shall have the same powers, duties, and responsibilities as the board of supervisors as now organized in this State.

SEC. 6. All laws and rules that apply to the board of supervisors as now organized, shall apply to the board contemplated by this bill.

SEC. 7. All acts and parts of acts that conflict with this act, are hereby repealed.

SEC. 8. This act being deemed of immediate importance, shall take effect from and after its publication in the *State Register* and *Des Moines Bulletin*, papers published at Des Moines.

On motion of Mr. Dudley the House resolved itself into a committee of the whole for the consideration of the proposed amendments.

Mr. Dudley was called to the chair.

The committee rose, reported progress, and asked leave to sit again at two o'clock, P. M.

The report of the committee was concurred in.

On motion of Mr. Applegate the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

The House again resolved itself into Committee of the Whole for the consideration of the substitute for Senate File No. 7 and 18.

Mr. Dudley in the Chair.

The committee rose and the chairman submitted the following report:

MR. SPEAKER—The Committee of the Whole House having had under consideration substitute for Senate Files Nos. 7 and 18, A bill for an act to amend article 2, of chapter 22, of the Revision of 1860, creating a board of supervisors, and acts amendatory thereto, have directed me to report the same back to the House, with sundry amendments, as follows:

Strike out the following words in the third line of section 1, viz: "No two of whom shall be," and insert the following: "and no ballot shall be cast at such election for two." Strike out the word "who" near the end of the line, and insert the words "or if so cast shall not be counted. The supervisors—". Also strike out "who" in the sixth line and insert "and."

After the word "elected," in the fifth line of section 2, insert "who shall not be a resident of the same township of either of the members holding over, and—."

Add to section 3 the following: "and such special meetings as are now provided for by law."

With these amendments the committee recommend the passage of the bill.

C. DUDLEY, *Chairman.*

Mr. Rowell moved that the House concur in the amendments reported by the committee.

Messrs. Rowell and Gibbons demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Arnold, Ball, Bell, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, DeGroat, Dudley, Durham, Elbert, Evans, Gibbons, Harrison, Hartenbower, Hirschler, Hobson, Hood, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Newbold, Noel, Norris, Pratt, Rowell, Russell, Satterthwaite, Stanchfield, Stutsman, Swan, Tait, Teale, Toliver, Traer, Warner, Williams, and Wilson—57.

The nays were—

Messrs. Applegate Beatty, Bonewitz, Brown of Fayette, Butterfield, Christoph, Crawford, Dickerson, Dumont, Dunne, Green, Harper, Haycock, Hopkins, Lommen, Mills, Morrison, O'Donnell, Parsons, Rogers, Rohlf, Sanborn, Sater, Snow, Spencer, Stewart, Taylor, Tufts, Wasson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—33.

Absent or not voting—

Messrs. Beresheim, Conner, Day, Faville, Harrington, Hartshorn, Mahin, Murdock, Rosser, and Stone—10.

So the amendments reported by the committee were adopted.

Leave of absence was granted Mr. Harrington, on account of sickness, until March 2nd, 1870.

Mr. Cutts moved to amend by adding a new section, as follows:

SEC. 7. The board of supervisors of any county may submit to the qualified voters of their county, at any regular election, the question, "shall the number of supervisors be increased to five or seven?" as the board shall elect in submitting the question. If the majority of the votes cast shall be for the increase of the number, then, at the next ensuing election for a supervisor, the requisite additional supervisors shall be elected, whose terms of office shall be determined by lot, in such a manner that one-half of the additional members shall hold their office for three years, and one-half for two years.

Mr. Russell moved to amend, as follows:

It shall be the duty of the board of supervisors of each county in this State, at their June meeting in the year 1870, to provide for

submitting the question to a vote of the people of their respective counties, whether the legal voters voting at the general election in 1870, shall adopt the provisions of this act. The question shall be determined by each voter voting on the question having written or printed on his ticket the words, "For the change of supervisors," or "Against the change of supervisors." If a majority of all the votes cast at said election be for the change, then the provisions of this act shall be in force in said county; and if a majority of the votes cast be against the change, then the provisions of this act shall not be operative in said county.

Mr. Wilson moved the previous question, which was seconded.

On the question, shall the main question be now put, it was decided in the affirmative.

On the adoption of the amendment to the amendment, Messrs. Russell and Irish demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beatty, Bonewitz, Brown of Fayette, Butterfield, Christoph, Crawford, Dickerson, Dumont, Dunne, Evans, Harper, Haycock, Hopkins, Hunter, Irish, Ketcham, Lommen, Merritt, Mills, Miracle, Morrison, O'Donnell, Parsons, Pratt, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Taylor, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—41

The nays were—

Messrs. Applegate, Arnold, Ball, Bell, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, DeGroat, Dudley, Durham, Elbert, Gibbons, Green, Harrison, Hartenbower, Hirschler, Hobson, Hood, Hopkirk, Huff, Jones, Kasson, Keables, Lacey, Lee, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Newbold, Noel, Norris, Rogers, Rohlf, Rowell, Satterthwaite, Stutsman, Swan, Tait, Teale, Toliver, Wood.—49.

Absent or not voting—

Messrs. Beresheim, Conner, Day, Faville, Harrington, Hartshorn, Mahin, Murdock, Rosser, and Stone—10.

So the motion to amend the amendment did not prevail.

The amendment was adopted.

On motion of Mr Russell, the bill was ordered engrossed and read a third time.

Mr. Williams moved that the rule be suspended, and the bill be engrossed, and read a third time now.

Mr. Cutts moved that the House do now adjourn. The motion did not prevail.

The motion to suspend the rule did not prevail.

Leave of absence was granted Committee to visit the Penitentiary.

Leave of absence was granted Mr. Beresheim, on account of sickness.

Mr. Stutsman moved that the House do now adjourn. The motion prevailed, and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
February 26, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. W. H. Merritt.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following resolution :

*Resolved*, That the Senate has learned with profound sorrow of the death of the Hon. Rufus B. Clark, the Senator elect from the forty-fourth senatorial district of the State of Iowa ;

*Resolved*, That the members of this Senate do hereby most cordially extend their sincere condolence and heart-felt sympathy to the widow and family of the deceased in their most afflicting bereavement ;

*Resolved*, That these resolutions be printed in the *State Register*, and that the secretary of the Senate be directed to forward a copy thereof to the widow of the deceased :

*Resolved*, That a copy of these resolutions be communicated to the House of Representatives ;

*Resolved*, As a further mark of respect to the deceased—Senator Clark—that the Senate do now adjourn.

JAMES M. WEART, *Secretary*.

PETITIONS.

Mr. Rohlf's presented a petition from citizens of Scott county, asking that the real and personal property of incorporated societies for physical and mental development, commonly known as Turner Societies, be exempt from taxation. Referred to Committee on Schools.

Mr. Applegate presented a petition from the citizens of Scott and Clinton counties, remonstrating against the diversion of lands granted for the construction of the Tete Des Morts branch railroad, being diverted to any other use. Referred to Committee on Railroads.

Mr. Toliver presented a petition from S. B. Bellows and 13 other citizens of Humboldt county, asking that the lands donated to the Des Moines Valley Railroad Company be not conveyed to said company. Referred to Committee on Railroads.

Mr. Ketcham presented a petition from R. H. Talbott and other citizens of Iowa county, asking that a law be made making railroad companies, operating in this State, liable for all damages by fire caused by sparks being thrown from their engines. Referred to Committee on Railroads.

Mr. Harrison presented a petition asking that railroad corporations be taxed. Referred to Committee on Railroads.

#### REPORTS OF COMMITTEES.

Mr. Campbell, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER—The Committee on Engrossed bills ask leave to report that they have examined the following bills, and find the same correctly engrossed :

House File No. 51, A bill for an act to protect fur-bearing animals in the State of Iowa.

Substitute for Senate File Nos. 7 and 18, A bill for an act to amend Article 11 of chapter 22 of the Revision of 1860, creating a Board of Supervisors and acts amendatory thereto.

W. H. CAMPBELL, *Chairman*:

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

House File No. 164, A bill for an act to legalize the incorporation of the town of Toledo, in Tama county.

Senate File No. 16, A bill for an act to amend section 1068, 1069, and 1070, of the Revision of 1860, and to provide additional means for the collection of charges, assessments, and taxes, on lots of land within municipal corporations.

G. S. TOLIVER, *Chairman*.

Mr. Stanchfield, from the Committee on State University, submitted the following reports :

MR. SPEAKER—Your Committee on State University, to whom was referred House File No. 155, A bill for an act to amend chapter 134, of the Acts of the Tenth General Assembly, and provide for carrying out the provisions of section 3, article 7, of the Constitution, in relation to school and university fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

O. O. STANCHFIELD, *Chairman.*

MR. SPEAKER—Your Committee on State University, to whom was referred House File No. 16, A bill for an act to provide additional endowment to the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

O. O. STANCHFIELD, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Rohlfs introduced House File No. 212, A bill for an act to amend section 711, chapter 45, of the Revision of 1860. Read a first and second time and referred to Committee on Schools.

Mr. Stutsman introduced House File No. 213, A bill for an act to repeal certain sections of the Revision of 1860, relative to the appraisal laws. Read a first and second time and referred to Committee on Judiciary.

Mr. Applegate introduced House File No. 214, A bill for an act to legalize the election of corporation officers in the town of LeClaire. Read a first and second time, and, on motion of Mr. Applegate, the rule was suspended, the bill considered, engrossed, and read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—87.

The nays were—

Messrs. Beatty, Carpenter, Crawford, Morrison, Teale—5.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Conner, Faville, Harrington, Irish, Parsons, and Williams—8.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Irish on account of sickness.

Mr. Gibbons introduced House File No. 215, A bill for an act to amend chapter 196 of the acts of the Twelfth General Assembly. Read a first and second time and referred to the Committee on Railroads.

Mr. Wilson introduced House File No. 216, A bill for an act to regulate the passenger fare on railroads. Read a first and second time and on motion of Mr. Wilson, the rule was suspended, the bill considered engrossed, and read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, De Groat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Williams, Wood, Wright of Allamakee, Mr. Speaker.—82.

The nays were—

Messrs. Arnold, Carpenter, Christoph, Crawford, Day, Green, Hartshorn, Hobson, McCoun, Rohlf, Taylor, Wright of Sac.—12.

Absent and not voting—

Messrs. Beresheim, Brown of Fayette, Conner, Faville, Harrington.—6.

The bill passed and the title was agreed to.

Mr. Toliver introduced House File No. 217, A bill for an act to amend chapter 105 of the laws of the 12th General Assembly, in relation to the compensation of members of the board of supervisors. read a first and second time and referred to the Committee on County and Township Organizations.

Mr. Taylor introduced House File No. 218, A bill for an act to annex certain lands to the independent school district of Strawberry Point for school purposes, read a first and second time and referred to the Committee on Schools.



Mr. Dunne introduced House File No. 219, A bill for an act to legalize the action of the board of supervisors of Jackson county in relation to the appropriation of the swamp land fund of said county; read a first and second time and referred to the Committee on Judiciary.

#### RESOLUTIONS.

Mr. Wright of Sac, offered the following resolution, which was referred to the Committee on Federal Relations.

*Resolved*, By the House the Senate concurring that our Senators in Congress be instructed, and our Representatives be requested to use their influence to procure a mail route from Cherokee, Cherokee county to O'Brien, O'Brien county, Peterson and Spencer in Clay county, thence to Jackson in Minnesota, and back three times a week.

Mr. Dudley offered the following resolution, which was lost:

*Resolved*, That after Monday next, the House will take up the order of business each day where it was left off the preceeding day, until the order of business has been gone through with.

Leave was granted Mr. Ketcham to call up resolutions in relation to the hours of meeting of the House.

Mr. Ketchum moved the adoption of the substitute.

Mr. Morrison moved to lay the resolution on the table. The motion did not prevail.

The question, shall the substitute be adopted, was lost.

Mr. Dickerson moved to strike out all after the words 9 o'clock, a. m.

Mr. Brown of Van Buren, offered the following substitute:

*Resolved*, That on and after Monday, the 28th inst., there be but one session of the General Assembly held each day, convening at 9 o'clock a. m., and extending to 1 o'clock p. m.

Mr. Stewart moved to lay the resolution on the table. The motion was lost.

Mr. Morrison moved to refer the resolution and substitute to the Committee on Rules.

Mr. Stutsman moved the previous question, which was seconded. Shall the main question be now put, was ordered.

The substitute was lost.

The motion to amend by striking out all after 9 o'clock did not prevail.

The resolution was lost.

Leave of absence was granted Mr. Rowell, on account of sickness.

Mr. Kasson moved that when the House adjourns, that it be until Monday next, 10 o'clock a. m. The motion prevailed.

Mr. Pratt introduced the following resolution:

WHEREAS, This House has been officially informed, by message

from the Senate, of the death of Hon. Rufus B. Clark, senator elect from the forty-fourth district,

*Therefore, Resolved by the House of Representatives,* That we sincerely regret the sad dispensation of Providence that has prevented the deceased from taking the seat to which he was elected, and that has deprived this General Assembly of the labors and counsel of an earnest, wise, and talented senator.

*Resolved,* That we deeply sympathise with the widow and family of the deceased in their great affliction, and that we cordially unite with the Senate in condoling with them for their irreparable loss.

*Resolved,* That these resolutions be published in the *Iowa State Register* and *Bulletin*, and that the Secretary of State be instructed to forward a copy thereof to the widow of the deceased.

*Resolved,* As further mark of respect to the deceased, this House do now adjourn.

On introducing the above resolutions, Mr. Pratt addressed the House as follows:

MR. SPEAKER: In moving the adoption of these resolutions I feel it to be my duty to say something in commendation of the worth and virtues of the deceased Senator to whom we pay this tribute of respect.

There are probably but few members of this House whose pleasure it has been to know Senator Clarke, and none who have known him better or more intimately than myself. I first knew him in 1865, at which time he became a resident of Floyd county in this State. The acquaintance I then formed with him soon ripened into an intimacy and friendship, which continued unbroken to the day of his death. Although when I first met him he was in feeble health, and suffered much from the effects of that fatal disease—consumption—which has finally terminated his life, yet, he had a strength of will, an energy purpose, of and a restless activity of mind that triumphed over the weakness of the flesh, and which, with the goodness of his heart, made it his meat and drink to be always going about doing good.

For some time previous to the late rebellion, Dr. Clarke resided in Racine, in the State of Wisconsin, engaged in the practice of medicine—his chosen profession—in which he had risen to eminence. But when the thunder of Sumter's artillery told the world that the grand contest, in which either freedom or slavery should find a grave, had commenced, he hastily closed his office upon an extensive and lucrative practice, and with his characteristic energy gave his rare professional skill and attainments to those noble men, who, during the long, weary years of that fearful strife, wrote "Union and liberty, now and forever, one and inseparable" in crimson lines across the white bosom of the Republic. He shrank from no hardships, no sufferings, no danger in his efforts to administer to the wants and comfort of those who offered their lives for the redemption of their country.

Although occupying a comparatively humble station, there were none whose daily and nightly toil was more constant, more zealous or more cheerful through all the agonies of that new birth of the nation than was his whose death we deplore here to-day.

Soen after returning from the army he moved his family o Floyd county, where he resumed the practice of his profession, which he continued until his failing health compelled him to abandon it and seek rest and quiet in his country residence in the county of Bremer. But he found no rest there. The quiet of his prairie home gave him no relief. The terrible disease which has fastened upon him gave him constant battle. And after a long struggle he finally fell before the great destroyer that is upon your track and upon mine, and that must sooner or later overtake us all.

The hour we give to the memory of our deceased friend will not be lost, Mr. Speaker, if we are taught anew by this sad event, that even in life we are in the midst of death, and are reminded of that injunction of Him who spake as never man spake—"Be ye also ready."

Dr. Clark was a warm and earnest friend of every worthy and and laudable enterprise. He was among the foremost in originating and carrying forward measures for the benefit of the people. He had a large heart, a warm sympathy, and great charity and benevolence.

He gave to every good cause not only his friendship and his sympathy but his active aid and support. He put his shoulder to the wheel and *lifted and surged until he made it move*. He took an especial interest in the young and in their education. The common school had no warmer friend than Dr. Clark. During his residence in Floyd county it was his practice while making his professional visits to visit the schools that were on his way, and it was his delight to encourage both teachers and scholars in their labors. He dearly loved the school room and he labored incessantly to make it what it should be, the nursery of a higher life, a purer culture, and a nobler civilization.

Senator Clarke had a vigorous and active mind, a large culture, and that strength and energy of purpose that allows of no halting, no turning back, but that led him steadily forward in whatever enterprise he undertook, scattering the difficulties that beset him, melting away opposition by the force of his character,

"Still achieving, still pursuing,"

Until his object was accomplished.

His life was a success; not because he achieved great fame and renown, not because he fought his way to positions of great political power and influence, not because he ran a brilliant and dazzling career in public life, but his life was a success because he spent it in

earnest, faithful, and unselfish efforts to do good to his fellow men. The goodness and purity of his heart, the excellence and integrity of his character are virtues that adorned his life to an eminent degree, and upon which his friends will dwell with unusual love and pleasure.

Mr. Speaker, a good man has been taken away; such an one as we always regret to lose. We feel weaker when a good man dies. We trust no man as we do the man of good and honest purposes. There is no strength like the strength of a warm, generous, faithful, good heart. Such is the heart that now lies pulseless in the cold embrace of death.

The same spirit that guided and animated our departed friend, amid the conflicts of life, still cheered and sustained him in that last dread conflict in which he passed away. His last few months were filled with the intensest pain and agony. But he endured them with a christian serenity and fortitude, conscious of the christian's triumph that awaited him, until death, like a welcome messenger, released him from his sufferings and ushered him into that rest "*that remaineth to the people of God.*"

Mr. Dumont addressed the House as follows :

MR. SPEAKER—As I am the only representative present from the district that had the honor to be represented in this General Assembly, by Senator Clarke, I feel that I have indeed a sad duty incumbent upon me upon this occasion, and although he was comparatively a stranger to me and to his constituents in that part of his district which I have the honor to represent—having but lately come among us—he had the unbounded confidence and respect of all, and we feel that in his death we have met with a calamity that will not only be felt by our district alone, but by the whole State at large. I am informed by those that knew him well and best, that he was just such a man as we are ever glad to welcome to our midst, ever ready to extend a helping hand to the needy, ever watchful of the interest and welfare of his friends, and ever generous to those that might differ with him in opinion, and I can well say that few men were more beloved and respected. His death, though not unexpected, for his health had been failing for a long time, causes great sorrow in the community in which he has resided and made so many warm friends.

He was practically a religious man, observant strictly of the organization of which he was a member, and fully imbued with the true spirit of Christian faith. In this there was perfect consistency of practice and profession, and its consolations made themselves felt in the many hours of protracted pain and sickness. Of his social and familiar relations they were in perfect consonance with the whole tenor of his life and character.

The Forty-fourth Senatorial District sincerely mourns one of her

most earnest citizens, and one who had he been spared would have been a bright light in this the Thirteenth General Assembly.

On motion of Mr. Dudley, the resolution was adopted by a rising vote.

Mr. Stanchfield moved the House do now adjourn. The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
February 28th, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. W. W. King.

Journal of Saturday read and approved.

Leave was granted Messrs. Irish and Williams to record their votes aye on House File No. 216.

Leave was granted Mr. Haycock to offer the following resolution, which was adopted:

*Resolved*, By the House, that the Secretary of State is hereby authorized and requested to purchase Anthracite coal to be consumed in the furnaces used for the heating of this Hall, and that there be a committee of three appointed by the chair, whose duty it shall be to examine the present heating apparatus with reference to its adaptability and sufficiency for the purpose for which it is used; and if said committee, after examination, be of opinion that the present apparatus is unsuitable and insufficient to the healthful and comfortable heating of this building, that they report by bill or otherwise.

PETITIONS.

Mr. Tolliver presented a petition from John E. Cragg and 21 other persons, asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company.

Mr. Tolliver presented a petition from six citizens of Humboldt county praying for the resumption by the State, of lands granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Mahin presented a petition from Abraham Smalley and 41 other citizens of Muscatine county praying for the taxation of Railroad property. Referred to Committee on Railroads.

Mr. Day presented a petition from James I. Bruce and other citizens of northwestern Iowa, protesting against taking the lands from

the Des Moines Valley Railroad Company. Referred to the Committee on Judiciary.

Mr. Stewart presented a petition from citizens of Johnson County asking that the salaries of Supreme, District, and Circuit Court Judges be increased. Referred to Committee on the Compensation of Public Officers.

Mr. Hopkins presented a memorial from the citizens of Boone county, asking the State to resume the lands claimed by the Des Moines Valley Railroad Company. Referred to the Committee on Judiciary.

Mr. Hunter presented a memorial of citizens of Hamilton county praying the State to resume lands granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Butler presented a memorial from the Southwestern Medical Association, asking the passage of a law in relation to the practice of medicine. Referred to Committee on Medical Institutions.

Mr. Wasson presented a petition from Gilbert Bryant, M. D., and three other physicians of Black Hawk county, asking for the passage of a law in relation to the practice of medicine. Referred to the Committee on Medical Jurisprudence.

The Speaker appointed Messrs. Haycock, Russell, and Wright of Allamakee to examine the present heating apparatus of the House.

Mr. Harper moved that the subject of Normal Schools be made the special order for Friday next at 10½ o'clock A. M. The motion did not prevail.

#### REPORTS OF COMMITTEES.

Mr. Harper from the Committee on Schools submitted the following report:

MR. SPEAKER—Your Committee on Schools, to whom was referred House Files Nos. 110, 157, 169, and 187, Bills for an act to establish State Normal Schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying substitute for the several bills, with the recommendation that the substitute do pass.

HARPER, *Chairman.*

Mr. Rosser, from the Committee on Des Moines River Improvements, submitted the following report:

MR. SPEAKER—Your Committee on Des Moines River Improvement, to whom was referred the memorial of Thomas Mitchell, and others, relative to cutting a ditch or canal across a bend in the Des Moines river, in Polk county, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying bill, with the recommendation that it do pass.

GEORGE N. ROSSER, *Chairman.*

Mr. Marks, from the Committee on Public Lands, submitted the following report :

MR. SPEAKER—Your Committee on Public Lands to whom was referred the memorial of Adams county, asking this Legislature to pass some act that will secure to such county certain swamp lands granted by the United States to the State of Iowa, but which the Burlington and Missouri River Railroad Company, under a subsequent grant, have caused to be certified to them by the Commissioner of the General Land Office, beg leave to report that they have had the same under consideration and have instructed me to report, the county was heard through their Representative, Mr. Rowell, and that though said memorial shows a priority of right to such swamp lands in said county, yet in the opinion of your Committee, their remedy is in the courts, and the matter is not within the province of this Legislature to remedy, and have instructed me to report the same back to the House with the recommendation that no action be had in relation thereto.

CONSTANT R. MARKS, *Chairman.*

Mr. Traer, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER—Your committee on Ways and Means to whom was referred House File No. 202, A bill for an act to amend section 17, chapter 173, of the laws of the Ninth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

TRAER, *Chairman.*

MR. SPEAKER—You Committee on Ways and Means, to whom was referred House File No. 189, A bill for an act to authorize the assessment of improvements on real property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following amendment: Strike out all of section one after the words "such improvements shall be assessed," and insert the words "the same as other property," with which amendment your Committee recommend that the bill do pass.

TRAER, *Chairman.*

Mr. Applegate, from the Committee on the Suppression of Intemperance, submitted a minority report, which was placed on file :

#### INTRODUCTION OF BILLS.

Mr. Rosser introduced House No. 220, A bill for an act to authorize Thomas Mitchell and others to cut a canal across a strip

of land to straighten the Des Moines river. Read first and second time and on motion of Mr. Jones the rule was suspended, the bill was considered engrossed, and read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacy, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Russell, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Swan, Taylor, Tolliver, Tufts, Warner, Wasson, Williams, Wilson, Wright of Sac, and Mr. Speaker—73.

The nays were—

Messrs. Morrison, Teal, Traer, and Wright of Allamakee—4.

Absent or not voting—

Messrs. Arnold, Beresheim, Brown of Fayette, Carver, Connor, Day, Elbert, Faville, Gibbons, Green, Harrington, Kasson, McCoun, Miles of Washington, Murdock, Pratt, Rowell, Sanborn, Sater, Snow, Stutsman, Tait, and Wood.—23.

So the bill passed and title agreed to.

Leave of absence was granted Mr. Stutsman on account of sickness.

Mr. Huff introduced House File No. 221, A bill for an act detaching Grundy county from the 9th Judicial District and attaching the same to the 11th District, and prescribing the times of holding courts therein. Read a first and second time and referred to the Committee on Judiciary.

Mr. Day introduced House File No. 222, A bill for an act to tax lands which are owned by counties within the circuits of other counties. Read a first and second time and referred to the Committee on Judiciary.

Mr. Tolliver introduced House File No. 223, A bill for an act to allow compensation to members of the Board of Directors of District Townships. Read a first and second time and referred to the Committee on County and Township Organization.

Mr. Satterthwaite introduced House File No. 224, A bill for an act to regulate fees of Justices of the Peace. Read a first and second time and referred to Committee on Compensation of Public Officers.

Leave was granted Mr. Stanchfield to call up House File No. 23, and it was referred to Committee on County and Township Organization.



## RESOLUTIONS.

Mr. Harper offered the follow resolution which was adopted.

*Resolved*, By the House of Representatives, the Senate concurring, that the committee on schools be authorized to employ a clerk, who shall serve the two committees.

## MESSAGES AND COMMUNICATIONS ON THE SPEAKER'S TABLE.

House File No. 80, A bill for an act to legalize the organization of the independent school district of Dunlap, Harrison county. Was taken up and Senate amendments considered.

Upon the adoption of the Senate amendments the yeas and nays were as follows :

The yeas were :—

Messrs. Applegate, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—76.

The nays were—

Messrs. Christoph, Crawford.—2.

Absent or not voting :—

Messrs. Arnold, Ball, Beresheim, Brown of Fayette, Carver, Conner, Elbert, Favile, Gibbons, Green, Harrington, Kasson, McCoun, Miller, Morrison, Murdock, Parsons, Rowell, Satterthwaite, Snow, Stutsman, Wood.—22.

So the amendment was concurred in.

Senate File No. 55, A bill for an act to amend section 822 of the Revision of 1860, relative to bridges. Was read first and second time and referred to Committee on Roads and Highways.

## BILLS ON SECOND READING.

House File No. 49, A bill for an act relating to the limitations of actions, was taken up and read a second time.

Mr. Lacey moved that the bill be indefinitely postponed.

The motion did not prevail.

Leave of absence was granted the chief clerk.

Mr. Stone moved to strike out section 1st, and insert " clauses of

action founded on contract are revived by an admission that the debt is unpaid as well as by a new promise to pay the same."

The motion did not prevail.

Mr. Dudley moved to amend by striking out the publication clause. The motion prevailed.

On the question, shall the bill be ordered engrossed and read a third time? Messrs. Dudley and O'Donnell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bonewitz, Bundy, Butterfield, Christoph, Crawford, Day, DeGroat, Dumont, Dunne, Hartshorn, Haycock, Hirschler, Hood, Huff, Irish, Jones, Lee, Mahin, McCoun, Merritt, Millard, Mills, Miracle, O'Donnell, Pratt, Rohlf, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stewart, Tait, Taylor, Teale, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac.—44.

The nays were—

Messrs. Ball, Beatty, Bell, Brown of Van Buren, Butler, Campbell, Cutts, Dickerson, Dudley, Durham, Elbert, Evans, Harper, Harrison, Hartenbower, Hobson, Hopkins, Hopkirk, Hunter, Keables, Ketcham, Lacey, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, Rogers, Rosser, Sater, Stone, Swan, Toliver, Tufts, Mr. Speaker.—40.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Carpenter, Carver, Connor, Faville, Gibbons, Green, Harrington, Kasson, Murdock, Parsons, Rowell, Snow, Stutsman, and Wood.—16.

So the bill was ordered to be engrossed and read a third time.

Leave of absence was granted Mr. Wood on account of sickness.

On motion of Mr. Newbold the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Morrison moved a call of the House, which was ordered.

The Clerk proceeded to call the roll.

The following members were absent—

Messrs. Arnold, Butler, Carpenter, Cutts, Day, Dumont, Elbert, Harrison, Hirschler, Hood, Huff, Hunter, Irish, Keables, Lacey, Lee, Miles of Wayne, Miller, Mills, Miracle, Noel, Rogers, Satterthwaite, Spencer, Stanchfield, Stone, Swan, Traer, Tufts, and Wasson.

The Sergeant-at-arms brought forward the following gentlemen to the bar of the House, who were excused.

Messrs. Mills, Tufts, Butler, Noel, Miles of Wayne, Hood and Spencer.

Mr. Dudley moved that further proceedings under the call be dispensed with. The motion did not prevail.

The Sergeant-at-arms brought forward the following gentlemen to the bar of the House, who were excused :

Messrs. Keables, Gibbons, Hirschler, Rogers, Day, Hunter, Stanchfield, Traer, Wasson, and Irish.

Mr. Miles, of Washington, moved that further proceedings under the call be dispensed with. The motion was lost.

Mr. Wilson moved to excuse the remaining absentees. The motion did not prevail.

Leave of absence was granted Mr. Huff.

Mr. Wright, of Allamakee, moved that further proceedings under the call be dispensed with. The motion did not prevail.

Mr. Irish moved that the House do now adjourn. The motion was lost.

Mr. Stanchfield moved to dispense with [further proceedings under the call. The motion did not prevail.

The Sergeant-at-arms brought forward to the bar of the House the following members, who were excused :

Messrs. Williams, Satterthwaite, Miller and Elbert.

Mr. Haycock moved that the chair appoint two assistants for the Sergeant-at-arms. The motion prevailed. The speaker appointed the doorkeeper and assistant janitor.

Mr. Irish moved that further proceedings under the call be dispensed with. The motion did not prevail.

Mr. Irish moved that Mr. Cutts be excused. The motion was lost.

Mr. Spencer moved that the House do now adjourn. The motion did not prevail.

Mr. Evans moved that the House do now adjourn. The motion was lost.

Mr. Irish moved that further proceedings under the call be dispensed with. The motion did not prevail.

Mr. Day moved that further proceedings under the call be dispensed with. The motion did not prevail.

Mr. Campbell moved that the House do now adjourn. The motion did not prevail.

Mr. O'Donnell moved that further proceedings under the call be dispensed with.

Messrs. Stewart and Irish demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Ball, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Day, Dickerson, Dudley, Dunne, Durham, Elbert,

Evans, Harper, Hopkirk, Hunter, Irish, Jones, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Newbold, O'Donnell, Rohlf, Rosser, Sanborn, Satterthwaite, Tait, Tolliver, Williams, Wilson and Mr. Speaker—41.

The nays were—

Messrs. Applegate, Arnold, Beatty, Bell, Bonewitz, Butterfield, Christoph, Crawford, DeGroat, Dumont, Gibbons, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Keables, Miles of Wayne, Mills, Miracle, Morrison, Noel, Norris, Parsons, Pratt, Rogers, Russell, Sater, Spencer, Stanchfield, Stewart, Swan, Teale, Traer, Tufts, Warner, Wasson, Wright of Allamakee, Wright of Sac—41.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Carver, Conner, Cutts, Faville, Green, Harrison, Harrington, Huff, Kasson, Murdock, Rowell, Snow, Stone, Stutsman, Taylor, Wood—18.

The motion did not prevail.

Mr. Irish moved that the House do now adjourn. The motion did not prevail.

Mr. O'Donnell moved that further proceedings under the call be dispensed with. The motion was lost.

Mr. Irish moved that the House do now adjourn. The motion did not prevail.

Mr. Day moved that further proceedings under the call be dispensed with.

Mr. Williams moved that the House do now adjourn. The motion was lost.

The motion to suspend the rule did not prevail.

Mr. Rosser moved that the House do now adjourn. The motion did not prevail.

Mr. Irish moved that Mr. Stone be excused.

Mr. Evans moved to amend by including Mr. Cutts. The motion was lost.

The motion to excuse Mr. Stone did not prevail.

Mr. Keables moved that the further proceedings under the call be dispensed with. The motion was lost.

On motion of Mr. Marks the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 1, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. B. Morgan

Journal of yesterday read and approved.

## PETITIONS.

Mr. Stewart presented a petition from the North-Western Farmers' Mutual Insurance Company, praying for the revision of chapter 138 of the acts of the Twelfth General Assembly. Referred to Committee on Incorporations.

Mr. Wright, of Sac, presented a remonstrance of Ole Oleson and other citizens of Greene county, remonstrating against all hostile legislation against the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Tolliver presented a petition from John Aldrich and other citizens of Greene county, asking that there be no hostile legislation against the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Tait presented a remonstrance of S. G. Smith and 350 other citizens of Jasper county, protesting against the passage of the capitol bill.

Mr. Tolliver presented a petition from the citizens of Humboldt county, asking the Legislature to resume the land granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Miles of Washington presented a remonstrance of 205 citizens of Washington county, protesting against any appropriation for a new Capitol. Referred to the Committee on Public Buildings.

Mr. Butterfield presented a petition from S. H. Weller and other citizens of Chickasaw county, asking for a law to regulate the tariff on Land Grant Railroads. Referred to Committee on Railroads.

Mr. Day presented a petition from citizens of Kossuth county, praying the formation of a new county. Referred to the Committee on County and Township Organizations.

Mr. Irish presented a petition from J. Norwood Clark, of Johnson county, praying that the question of Woman Suffrage be submitted to a vote of the women of the State. Referred to Committee on Constitutional Amendments.

Mr. Irish presented a memorial from the Board of Directors of the Independent School District of Iowa City, praying that the School Law be so amended as to "constitute each sub-district an independent district, in which shall be chosen three directors, authorized to transact all the business relating to schools in said sub-district." Referred to Committee on Schools.

Mr. Irish presented a petition from Joseph Cowgill and 11 other citizens, asking the passage of a law to create an Independent School District in Graham township, Johnson county, Iowa. Referred to Committee on Schools.

Mr. Keables presented a petition of Thomas Ryan and 49 other citizens of Marion county, asking that the enactment of such law

as will fix, at least upon all Land Grant Railroads in the State, a maximum of freight charges they shall be allowed to make, and to adopt such measures as, while just to railroads, shall be effective to correct the present abuses. Referred to Committee on Railroads.

## REPORTS OF COMMITTEES.

Mr. Campbell from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER—The Committee on Engrossed Bills ask leave to report that they have examined the following bills and find the same correctly engrossed :

House File No. 220, A bill for an act to authorize Thomas Mitchell and others to cut a canal across a strip of land to straighten the Des Moines river.

House File No. 49, A bill for an act to amend chapter 116 of the Revision of 1860, relating to the limitations of action.

W. H. CAMPBELL, *Chairman.*

Mr. Bundy from the Committee on Library submitted the following report :

MR. SPEAKER—Your committee on Library to whom was referred Senate File No. 87, A bill for an act regulating the appointment and duties of State Librarian, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass.

C. BUNDY, *Chairman.*

Mr. Keables from the Committee on Medical Institutions submitted the following report :

MR. SPEAKER—Your Committee on Medical Institutions to whom was referred the several memorials or remonstrances against further appropriations to the State University in case said appropriation or any part of the same is to be used towards maintaining a Medical Department at this time, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, and state that in the judgment of your committee the memorialists express in the main, the sentiments of a large portion of the medical profession throughout the State. We can conceive of no urgent necessity for a Medical Department at this time, and as we have no reason to believe that any organization under present circumstances would unite the profession, therefore your committee are of opinion that it is not desirable to make any appropriation for the University that may be used either directly or indirectly to maintain a Medical Department until a more urgent necessity exists

for the same, when we confidently believe the profession will work in unison for its success.

KEABLES, *Chairman.*

Mr. Stanchfield from the committee to visit the State University presented a report.

The hour having arrived for the consideration of the special order, House File No. 16, A bill for an act to provide additional endowment for the State University of Iowa.

On motion of Mr. Irish the bill was considered by sections.

Mr. Irish moved the adoption of the first section.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER :—I am directed to inform your Honorable body that the Senate has passed the following bill in which the concurrence of the House is asked :

Senate file No. 122, A bill for an act to legalize the incorporation of the town of Monroe, and also to legalize the acts and doings of the common council of said town under said act of incorporation.

Also that the Senate has concurred in House resolution allowing committees on schools to employ a clerk.

I also return herewith, House file No. 50, A bill for an act authorizing the building of bridges across the Maquoketa river in Jackson county, which has passed the Senate without amendment.

J. A. T. HULL, *First Asst. Secretary.*

Mr. Lacey moved to amend by striking out all after the words "State University" in third line and all of the fourth line, and insert the sum of fifteen thousand dollars per annum.

Mr. McGavren moved to amend the amendment by striking out fifteen thousand dollars and inserting twenty thousand dollars.

On motion of Mr. Sater, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

The House resumed the consideration of House file No. 16, A bill for an act to provide additional endowment for the State

University of Iowa—the question recurring on the amendment to the amendment to strike out fifteen thousand and insert twenty thousand dollars.

On the adoption of the amendment to strike out \$15,000 and insert \$20,000, Messrs. Irish and Dudley demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beresheim, Campbell, Crawford, DeGroat, Green, Hartenbower, Hartshorn, Hobson, Hood, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Mahin, Marks, Miles of Washington, Millard, Mills, Miracle, Noel, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Stanchfield, Stewart, Stone, Swan, Tolliver, Wood, Wright of Allamakee, Wright of Sac—36.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Gibbons, Harper, Harrison, Haycock, Hirschler, Hopkins, Hopkirk, Ketcham, Lommen, McCoun, McGavren, Miles of Wayne, Miller, Morrison, Newbold, Norris, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Tait, Taylor, Teale, Tufts, Wasson, Williams, Wilson, Mr. Speaker—50.

Absent or not voting—

Messrs. Arnold, Brown of Fayette, Christoph, Conner, Elbert, Faville, Harrington, Huff, Merritt, Murdock, Rowell, Stutsman, Traer, and Warner—14.

So the motion to amend did not prevail.

Mr. Irish moved to amend the amendment by inserting after the word per annum “or until otherwise ordered by the General Assembly.” The motion did not prevail.

Mr. Irish moved to amend the amendment by striking out all after the enacting clause in section 1, and insert “That there be appropriated out of the State treasury the sum of \$12,500 per annum for the use and support of the State University.

On the motion to adopt the amendment, Messrs. Irish and Dudley demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Beresheim, Campbell, Crawford, Evans, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miracle, Noel, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Satterthwaite, Stanchfield, Stewart, Stone, Swan, Tolliver, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—41.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Day,



DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Gibbons, Harrison, Haycock, Hopkins, Hopkirk, Hunter, Lommen, McCoun, Miles of Wayne, Miller, Mills, Morrison, Newbold, Norris, Rosser, Russell, Sanborn, Sater, Snow, Stutsman, Tait, Taylor, Teale, Tufts, Wasson, Williams, and Wilson—47.

Absent or not voting—

Messrs. Arnold, Brown of Fayette, Christoph, Conner, Faville, Harrington, Huff, Murdock, Rowell, Spencer, Traer, and Warner.—12.

So the motion to amend did not prevail.

By consent of the House Mr. Lacey withdrew his amendment.

Mr. Dunne moved the previous question, which was not seconded.

Mr. Cutts moved to amend by striking out all after the enacting clause in section 1, and insert "That there be appropriated out of any money in the State treasury not otherwise appropriated, the sum of twenty-five thousand dollars for the next two years."

Mr. Haycock moved to amend by striking out "twenty-five thousand dollars," and insert "twenty-one thousand dollars." The motion did not prevail.

The question recurring on the amendment, the motion prevailed.

On motion of Mr. Irish the rule was suspended, the bill considered engrossed, and was read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tolliver, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—81.

The nays were—

Messrs. Ball, Haycock, Hopkirk, Morrison.—4.

Absent or not voting—

Messrs. Arnold, Brown of Fayette, Christoph, Conner, Faville, Harrington, Huff, Hunter, McCoun, Merritt, Murdock, Rowell, Spencer, Traer and Warner—15.

So the bill passed.

On motion of Mr. Irish the title of the bill was amended.

Mr. Kasson moved that the special order for March 2nd, Senate File No. 72, A bill for an act to provide a State capitol, be made the special order for March 8th, at 10 o'clock a. m.

Mr. Haycock moved that the House do now adjourn. The motion did not prevail.

On the motion to postpone the special order, Messrs. Dudley and Sater demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beresheim, Bonewitz, Bundy, Butler, Campbell, Carver, Day, DeGroat, Dickerson, Dunne, Durham, Evans, Gibbons, Green, Harper, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hunter, Irish, Jones, Ketcham, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Noel, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Sanborn, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Taylor, Teale, Tolliver, Tufts, Wasson, Williams, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—62.

The nays were—

Messrs. Beatty, Brown of Van Buren, Cutts, Dudley, Dumont, Elbert, Harrison, Haycock, Hobson, Hopkirk, Lacey, Lommen, Miles of Wayne, Newbold, Norris, Rosser, Sater, Tait—18.

Absent or not voting—

Messrs. Arnold, Bell, Brown of Fayette, Butterfield, Carpenter, Christoph, Conner, Crawford, Faville, Harrington, Huff, Kasson, Keables, Murdock, Rowell, Russell, Spencer, Traer, Warner, and Wilson—20.

So the motion to postpone prevailed.

On motion of Mr. Campbell, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
March 2, 1870.

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. C. R. Pomeroy.

The Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has ordered printed the usual number of copies of the report of the Joint Committee appointed to visit the State University.

C. V. GARDNER, *Asst. Secretary.*

## PETITIONS.

Mr. Harrison presented a petition from W. C. Blacksmo, and other citizens of Louisa county, asking that railroad property be taxed the same as any other property. Referred to Committee on Railroads.

Mr. Tolliver presented a petition from citizens of Webster county, asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Tolliver presented a petition from John P. Low, and other citizens of Greene county, protesting against hostile legislation to the Des Moines Valley Railroad Company. Referred to the Committee on Judiciary.

Mr. Miles of Washington presented a remonstrance of thirty-four citizens of Washington county against any appropriation for a new capitol. Referred to Committee on Public Buildings.

Mr. Hopkins presented a petition of citizens of Webster county, asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Miller presented a petition from citizens of Appanoose county asking that the supervisor be abolished and the commissioner system be established in its stead. Referred to Committee on County and Township Organization.

Mr. Hopkirk presented a remonstrance from Wm. Failor and other citizens of Jefferson county, protesting against the passage of an act creating normal schools. Referred to Committee on Schools.

Mr. Greene presented a petition from I. H. Freeman and other citizens of Scott county, asking that the transfer books remain with the County Auditor. Referred to the Committee on County and Township Organization.

Mr. Harrison presented a memorial from the Board of Supervisors of Louisa county, Iowa, in favor of reducing the number of Supervisors. Referred to Committee on County and Township Organization.

Mr. Ketcham presented a petition from citizens of Iowa county, asking the passage of a bill making railroads liable for damages by fire from sparks. Referred to the Committee on Railroads.

## REPORTS OF COMMITTEES.

Mr. Traer from the Committee on Ways and Means submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 148, A bill for an act to repeal chapter 36 of the acts of the Twelfth General Assembly, in relation to circuit and general term courts, beg leave to report that they have

had the same under consideration and a majority have instructed me to report the same back to the House with the recommendation that it do not pass.

TRAER, *Chairman.*

Mr. Dudley from the Committee on Claims submitted the following report :

MR. SPEAKER—Your Committee on Claims to whom was referred the claim of J. A. Stright, for services and expenses in recruiting beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House and say that this claim was examined at the last session and referred to the Census Board for adjustment ; said board did not see fit to allow the claim in its present shape and your committee endorse the action of the Census Board.

C. DUDLEY, *Chairman.*

Mr. Tolliver from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled. House File No. 80, A bill for an act to legalize the organization of the Independent School District of Dunlap, county of Harrison, Iowa.

Houss File No. 50, A bill for an act authorizing the building of bridges across the Maquoketa river, in Jackson county.

G. S. TOLLIVER, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Millard introduced House File No. 225, A bill for an act making appropriation for the relief of George Wilson.

Read first and second time and referred to committee on claims.

Mr. Keables introduced House File No. 226, A bill for an act to pay Jacob Reichard for money expended in erecting the Agricultural College Buildings.

Read first and second time and referred to committee on claims.

Mr. Traer introduced House File No. 227, A bill for an act to repealing section 1332 of the Revision of 1860 and for regulating the consolidation and leasing of railroads and providing for the joining and intersection of the same.

Read a first and secone time and referred to Committee on commerce.

Mr. Wright of Allamakee, introduced House File No. 228, A bill for an act to empower the several counties of the State to establish Normal Schools.

Read a first and second time and referred to the Committee on Schools and ordered printed.

Mr. Morrison introduced House File No. 229, A bill for an act to enable road districts to make good roads.

Read first and second time and referred to Committee on Roads and Highways.

Mr. Gibbons introduced House File No. 230, A bill for an act to amend an act entitled an act to enable municipal corporations to settle, adjust and compromise their indebtedness.

Read a first and second time and referred to Committee on Ways and Means.

Mr. Elbert introduced House File No. 231, A bill for an act authorizing foreign guardians to receive the property within this State of non-resident minors.

Read a first and second time and referred to Committee on Judiciary.

Mr. Carver introduced House File No. 232, A bill for an act to protect the health and lives of the community by punishing the criminally ignorant practitioner of medicine or surgery.

Read a first and second time and referred to Committee on Medical Institutions.

Mr. Harper introduced House File No. 233, A bill for an act to provide for the greater security of the Permanent School Fund, and to increase its productiveness. Read a first and second time and referred to Committee on Ways and Means.

Mr. Hopkins introduced House File No. 234, A bill for an act to amend 3307 of the Revision of 1860, in relation to exemptions. Read a first and second time, and referred to Committee on Judiciary.

Mr. Taylor introduced House File No. 235, A bill for an act entitled an act to incorporate the State Bank of Iowa, and to enable it to wind up its affairs. Read a first and second time and referred to Committee on Banks and Banking, and ordered printed.

Mr. Taylor introduced House File No. 236, A bill for an act to repeal an act entitled "An act authorizing general banking in the State of Iowa," passed March 22d, 1858. Read a first and second time and referred to Committee on Banks and Banking and ordered printed.

Mr. Arnold introduced House File No. 237, A bill for an act to legalize certain acts of the boards of supervisors of Marshall county. Read a first and second time, and on motion of Mr. Arnold the rule was suspended, the bill considered engrossed and read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bereshiem,

Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkirk, Hunter, Irish, Keables, Ketcham, Lacey, Lee, Lommen, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac Mr. Speaker—78.

The nays were—

Messrs. Crawford, DeGroat, Dudley, Gibbons, Hartenbower, Hopkins, Mahin, Morrison, Sater—9.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Conner, Faville, Harrington, Huff, Jones, Kasson, Marks, McCoun, Murdock, Parsons, Rowell—13.

So the bill passed and the title was agreed to.

Leave of absence was granted to Mr. Huff.

#### RESOLUTIONS.

Mr. Stutsman offered the following resolution, which was adopted :

*Resolved by the House of Representatives*, That there be a committee appointed, consisting of three members of this House to extend to Attorney-General Henry O'Conner, a special invitation to lecture before this General Assembly at such a time as he may designate ; and that the use of this Hall be appropriated for that purpose.

Mr. Rogers offered the following resolution :

*Resolved*, That on and after Thursday, March 10, 1870, the hour to which this House shall stand adjourned from day to day, shall be nine A. M., unless otherwise ordered by this House.

Mr. Wasson moved to amend by changing the time from 9 o'clock to 9½ o'clock, a. m.

Mr. Stone moved to amend that only one session a day be held.

The motion prevailed. The motion to change to 9½ a. m. was lost.

Mr. Sater moved that when the House adjourns that it be until to-morrow morning, 9 o'clock.

Mr. Traer moved to substitute the following :

*Resolved*, That from and after March 4th, this House shall meet at 9 a. m., and that until March 20, on Tuesday, Thursday and Saturday there shall be but one session held. The motion prevailed.

The resolution as amended was adopted.

Mr. Dunne offered the following resolution, which was adopted :

Joint resolution, asking the establishment of a daily mail from

Valiska, Montgomery county, Iowa, to Marysville, Missouri, by way of Hawleyville and Clarinda, Page county, Iowa:

1. *Be it Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be and are hereby instructed, and our Representatives requested to use their influence, to secure, at the earliest possible time, the establishment of a daily mail from Valiska in Montgomery county, Iowa, through Hawleyville and Clarinda, Page county, to Marysville, in Nodaway county, State of Missouri.

2. *And be it further Resolved,* That a copy of this resolution be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

Mr. Morrison offered the following resolution, which was adopted:

*Resolved,* By the House, the Senate concurring, that Prof. S. A. Knapp, Superintendent of the Institution for the Blind, be invited to visit the General Assembly during the present session, with as many of the teachers and pupils of the Institution as he may see fit.

Mr. Dunne offered the following resolutions, which referred to the Committee on Federal Relations:

Preamble on Joint Resolution relative to the naturalization of aliens:—

WHEREAS, The general government, in the liberality of its policy toward all aliens who land upon its shores, and the increasing influx of aliens to our shores is such that a more liberal policy extended by the general government to all aliens who land upon our shores would tend to the prosperity and strength of our nation; and

WHEREAS, The undeveloped resources of our most extensive country is such that much wealth remains locked up for the want of the power to develop it, and while we look toward the continent of Europe for the means of development, it becomes the duty of the general government to so liberalize its policy that it may tend to a greater influx of people, and that the power of development may be increased; and,

WHEREAS, Each alien who lands upon our shores brings more or less wealth, thereby diversifying trade, and causing a consumption of our home material, and creating a mart for our productions, and enhancing the value thereof; and,

WHEREAS, The monarchies of the Old World view with jealousy the rapid strides to wealth, and the gigantic growing power of the United States of America, therefore it behooves the general government to leave no means untried whereby it can increase its resources of wealth, and its power of strength; believing it can accomplish this power by a more liberal policy toward all aliens who land upon its shores, thereby enhancing the love of its people, and leaving a less number in the land in doubtful thought as to accept of the con-

ditions which are necessary at present to become a citizen of the United States of America; and,

WHEREAS, Experience has taught that, in time of excitement or great commotion, the great body of our people, united by friendship and indissoluble ties of love, are the great cardinal principles upon which it must rely for its succor, therefore, believing that the less the number of aliens that remain in our midst, the greater our security; and believing that by a more liberal policy by our general government a less number will remain in our land: and,

WHEREAS, The Congress is now discussing the propriety of transferring the power from the State courts to the United States courts, we believe that such a policy would tend to intricate the mode, and embarrass the alien to such a degree as to deprive many of the advantages of becoming citizens; and,

WHEREAS, Experience has taught that the love of the people toward the general government is mightier than the mightiest of armies, and that the bond of unity can be more securely guarded by an undivided and united people; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That our Senators be instructed, and our Representatives in Congress be requested, in the name of the people of the State of Iowa, to use their influence against the transferring of the power of Naturalization from the State courts to the United States courts, and that they use all their influence to so modify the general naturalization laws as to reduce the time of probation from five to two years.

*Resolved,* That the Secretary of State be instructed to send a copy of this preamble and joint resolution to each of our Senators and Representatives in Congress.

Mr. Wright, of Allamakee, offered the following resolution:

*Be it resolved by the House, the Senate concurring,* That our Senators in Congress be, and are hereby instructed, and our Representative requested to use their influence to secure additional mail facilities, to-wit: A daily mail from Postville, via Myron and Ludlow to Waukon, in Allamakee county, Iowa, and that the Secretary of State be requested to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Dudley moved to refer to Committee on Federal Relations. The motion was lost.

The resolution was adopted.

Mr. Rogers offered the following resolution:

*Resolved,* That the substitute for House Files Nos. 110, 157, 169, and 187, being bill reported from the Committee on Schools, providing for the establishment of a Normal School be made the special order for Thursday, March 10.

Mr. Dudley moved to amend to include all bills on Normal Schools.



Mr. Arnold moved to amend by making bills on Normal Schools special order for Friday, March 4th.

The motion to amend prevailed.

The amendment to include all of the Normal School bills was adopted.

The resolution as amended was lost.

Leave of absence was granted Mr. Wright of Sac.

On motion of Mr. Morrison, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

MESSAGES ON SPEAKER'S TABLE.

Senate File No. 122, A bill for an act legalizing the incorporation of the town of Monroe; and also to legalize the acts and doings of the common council of said town under said act of incorporation. Read a first and second time.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows:—

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dumont, Dunne, Durham, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Lommen, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stutsman, Tait, Teale, Toliver, Tufts, Wasson, Williams, Wilson, Mr. Speaker.—70.

The nays were—

Mr. Carpenter—1.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Conner, Day, Dudley, Elbert, Faville, Gibbons, Green, Harrington, Huff, Irish, Kasson, Mahin, Marks, Miracle, Murdock, Parsons, Pratt, Spencer, Stewart, Stone, Swan, Taylor, Traer, Warner, Wood, Wright of Allamakee, and Wright of Sac.—29.

So the bill passed and the title was agreed to.

## BILLS ON SECOND READING.

Leave was granted Mr. Evans to call up House File No. 100, A bill for an act to provide for the compilation and publication of the road laws and the distribution of the same. The bill was read a second time.

On motion of Mr. Sanborn the House concurred in the amendment reported by the committee.

Mr. Evans moved to amend section 5, by filling blank in third line with four hundred dollars. The motion prevailed.

Mr. Russell moved to fill the blank in fifth line in section 5, with fifty dollars. The motion prevailed.

On motion of Mr. Sanborn the rule was suspended, the bill was considered engrossed, and the bill was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satter, thwaite, Snow, Spencer, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, and Mr. Speaker—78.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Conner, Day, Elbert, Faville, Gibbons, Green, Harrington, Huff, Irish, Kasson, Marks, Mills, Miracle, Murdock, Stanchfield, Swan, Traer, Wood, Wright of Alamahee, and Wright of Sac—22.

So the bill passed and the title was agreed to.

House File No. 22, A bill for an act to regulate the execution and transfer of notes given for patent rights.

On motion of Mr. Pratt the bill was placed at the foot of the calendar.

On motion of Mr. Rohlf House File No. 40, A bill for an act to amend section 2, chapter 100, Laws of the Twelfth General Assembly was taken up and read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-

witz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Keables, Ketcham, Lacey, Lee, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan Tait, Taylor, Toliver, Tufts, Wasson, Williams, Wilson, Wood, Mr. Speaker—76.

The nays were—

Messrs. Carpenter, Jones, Lommen, Mahin, McCoun, Satterthwaite, Teale—7.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Evans, Faville, Gibbons, Green, Harrington, Huff, Irish, Kasson, Marks, Murdock, Traer, Warner, Wright of Allamakee, Wright of Sac—17.

So the bill passed and the title was agreed to.

House File No. 14, A bill for an act to repeal section 2498, Revision of 1860, relating to descent of property, was taken up and considered, and on motion of Mr. Lacey, the bill was laid on the table.

House File No. 66, A bill for an act providing for finishing uncompleted portions of the work of the State Geological Survey, and for publishing the report of the State Geologist, was taken up and considered, and on motion of Mr. Cutts, the bill was laid on the table.

House File No. 15, A bill for an act to regulate the running of steam engines on land, was taken up and on motion of Mr. Brown of Van Buren. The bill was laid on the table.

House File No. 43, A bill for an act to amend section 1125 of the Revision of 1860, was taken up and considered.

Mr. Cutts moved to amend section 1, by striking out "one mill," and inserting "five mills." The motion prevailed.

Mr. Butler moved the rule be suspended and the bill be considered engrossed and read a third time. The motion prevailed. The bill was read a third time.

Upon the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Dickerson, Dumont, Durham, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons,

Pratt, Rogers, Rohlf, Rosser, Sanborn, Satterthwaite, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wasson, Williams, Wilson, Mr. Speaker—66.

The nays were—

Messrs. Applegate, Brown of Van Buren, Christoph, Crawford, DeGroat, Dudley, Dunne, Hirschler, McCoun, Merritt, Rowell, Russell, Sater, Snow, Stanchfield, Toliver.—16.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Elbert, Faville, Gibbons, Green, Harrington, Huff, Kasson, Marks, Miller, Murdock, Traer, Warner, Wood, Wright of Allamakee, and Wright of Sac.—18.

So the bill passed and the title was agreed to.

House File No. 44, A bill for an act to amend section 1064, of chapter fifty-one of the Revision of 1860, was taken up and considered.

On motion of Mr. Rowell the bill was laid on the table.

House File No. 119, A bill for an act to amend chapter forty-six of the Laws of the Tenth General Assembly, was taken up, and on motion of Mr. Spencer the amendments recommended by the committee were concurred in.

Mr. Merritt moved that the rule be suspended and the bill read a third time now.

Mr. Rogers moved the previous question which was seconded.

The motion to suspend the rule was lost.

Mr. Dudley moved to reconsider the vote by which the amendments were concurred in.

Mr. Rogers moved to lay the motion on the table. The motion did not prevail.

Mr. Applegate moved to amend the amendment recommended by the committee by striking 75 cents and inserting 50 cents. The motion prevailed.

The amendment as amended was adopted.

On the adoption of the second amendment Mr. Rohlf moved the House concur in the amendment recommended by the committee. The motion prevailed.

The third amendment recommended by the committee was not concurred in.

Mr. Stanchfield moved to strike out two hundred and insert three hundred. The motion was lost.

Mr. Applegate moved the previous question, which was not seconded.

Mr. Beatty moved to strike out "two hundred" and insert "one hundred and seventy-five." The motion did not prevail.

Mr. Morrison moved that the rule be suspended and that the bill be considered engrossed, and read a third time now. The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—74.

The nays were—

Messrs. Bonewitz, Carpenter, Dunne, Evans, Harrison, Mahin, Miles of Wayne, Noel, Sanborn, Sater, and Wood—11.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Day, Faville, Gibbons, Green, Harrington, Huff, Kasson, Marks, Murdock, Traer, Warner, Williams, and Wright of Sac—15.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, House File No. 184 was made the special order for Friday next at two o'clock P. M.

On motion of Mr. Rogers the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 3, 1870.

The House met pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. T. O. Rice.

The journal of Saturday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolutions, in which the concurrence of the House is asked:

Senate File No. 81, A bill for an act to repeal section 4227, of the Revision of 1860, relating to the crime of arson, and to enact a substitute in lieu thereof.

Joint resolution in relation to national finances.

Also, Senate substitute for substitute for House File No. 1, A bill for an act to amend section 3, of chapter 118, of the Laws of the Tenth General Assembly, and section 11, of chapter 148, of the Laws of the Ninth General Assembly, and to regulate the sale of school lands.

House File No. 39, A bill for an act to amend an act entitled An Act to encourage the organization of fire companies, passed January 28, 1857, with the following amendment: Add to section 1 the words "on account of poll tax," in which the concurrence of the House is asked.

Also that the Senate has concurred in the resolution inviting Prof. Knapp and the pupils of the Blind Asylum to visit the General Assembly.

JAMES M. WEART, *Secretary*.

#### MEMORIAL.

Mr. O'Donnell presented a memorial asking Congress for a grant of land to extend by a main trunk, the several railroads concentrating on the western boundary of Iowa, at or near the parallel of forty-two and one-half degrees of north latitude to the Pacific Ocean. Referred to the Committee on Federal Relations.

#### PETITIONS.

Mr. Toliver presented a remonstrance of E. V. Brown and others of Pocahontas county against any legislation hostile to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Wright, of Sac, presented a remonstrance of Charles Kelley and other citizens of Pocahontas county, protesting against any unfriendly legislation against the Des Moines Valley Railroad Company. Referred to the Committee on Judiciary.

Mr. Parsons presented a petition of citizens of Waukanza, asking the legislature to resume the lands granted to the Des Moines Valley Railroad Company.

Mr. Miracle presented a petition from citizens of Pocahontas county, asking that there be no hostile legislation to the Des Moines Valley Railroad. Referred to the Committee on Judiciary.

Mr. Hunter presented a petition of Charles Latten and other citizens of Pocahontas county, praying that there be no hostile legislation to the Des Moines Valley Railroad company. Referred to Committee on Judiciary.

Mr. McGavren presented a remonstrance from Robert Campbell and other citizens of Webster county asking that there be no hostile legislation against the Des Moines Valley Railroad company. Referred to the Committee on Judiciary.

Mr. Day presented a petition from 295 citizens of Northwestern Iowa, praying that there be no legislation hostile and adverse to the Des Moines Valley Railroad company, and asking that not a single acre of land be taken from said company. Referred to the Committee on Judiciary.

Mr. Evans presented a petition of the City Council of Muscatine city, asking for the taxation of Railroad property as other property. Referred to the Committee on Railroads.

Mr. Crawford presented a petition from the citizens of Dubuque county, asking for the passage of a law regulating the rates of tariff on Land Grant Railroads.

#### REPORTS OF COMMITTEES.

Mr. Keables, from the Committee on Medical Institutions, submitted the following report:

Mr. SPEAKER—Your Committee on Medical Institutions, to whom was referred House File No. 9, A bill for an act for the encouragement of scientific attainments in the profession of dentistry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

B. F. KEABLES, *Chairman.*

Mr. Cutts, from the Committee on Railroads, submitted the following report:

Mr. Speaker—Your Committee on Railroads, to whom was referred House File No. 117, A bill for an act to provide for the taxation of Railroads, and House File No. 8, A bill for an act providing for the taxation of the property of Railroad Companies, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report to the House the accompanying substitute for said bills, and recommend its passage.

W. E. CUTTS, *Chairman.*

Mr. Crawford, from the Committee on Federal Relations, submitted the following report:

*To the Honorable House of Representatives:*

The Committee on Federal Relations, to whom was referred the joint resolution asking for the establishment of a daily mail route from Valiska, Montgomery county, to Maryville, Missouri, by way of Hawleyville and Clarinda, Page county, Iowa, have directed me to report the same back and recommend that the resolution do pass.

T. CRAWFORD, *For Committee.*

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 236, A bill for an act to amend an act to enable Municipal Incorporations to settle, adjust, and compromise their indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

TRAER, *Chairman*.

Mr. Hunter, from the Committee on the Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred House File No. 224, A bill for an act to regulate fees of justices of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred House File No. 151, A bill for an act to amend section 4143 of the Revision of 1860, in relation to the increase of recorder's fees in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. D. HUNTER, *Chairman*.

Mr. Toliver, from the Committee on County and Township Organizations, submitted the following majority and minority reports:

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred House File No. 126, A bill for an act providing for the election of County Attorneys, prescribing their duties and fixing their compensation, beg leave to report that they have had the same under consideration and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. TOLIVER, *Chairman*.

#### MINORITY REPORT.

A minority of your committee to whom was referred House File No. 126, beg leave to recommend that the bill do pass; and in support of the principle therein offer the following, to-wit:

1. That such an office, in the opinion of a minority of your committee, has become much needed in the various counties of this State,



the necessity of counsel in the transaction of the business of the county by the board of supervisors and other county officers, has become indispensable; prosecutions and defenses both civil and criminal in the various counties of the State, in which the county or State is interested as a party or otherwise, urgently demand that there be an officer in each county whose duty it shall be to look after and protect the interest of the county in which he may be elected, and upon whom the responsibility is made to rest.

Supervisors of counties, without such an officer, sometimes neglect the interests of the county and people, because there is no one whose duty it is to look after the interests of the county as its attorney, in the courts and elsewhere.

2. We need a County Attorney, as provided for in this bill, whose duty it shall be to assist the District Attorney in criminal prosecutions. Experience has taught the lesson in, perhaps, every organized county in this State, that many criminals—open violators of the law—go unpunished for want of local prosecutors, for which this bill provides. It is impossible for the District Attorney, living in some remote county of his district, to give the prosecutions of all criminal cases the careful investigation one would be able to do, residing in the county, with an opportunity to know and learn the facts and circumstances surrounding each case, and the witnesses by whom each fact is to be established.

3. Your Committee are aware that an attorney may be appointed to partially perform the duties of the County Attorney as provided for in this bill; but such an opportunity, if made, does not usually subserve the whole interest of the county. There is no particular responsibility resting upon an attorney receiving such an appointment, neither is he required on behalf of the State, to prosecute criminals before justices of the peace, or before courts acting as examining magistrates, peculiar cases over which counties have no jurisdiction unless violently assumed.

4. Your committee believe that by the enactment of a law of this kind the counties will save more than enough in criminal prosecutions in each county, which usually fail for want of local information, to more than compensate the officers herein provided for. With many other reasons which might be offered in support of this measure, the minority of your committee think they have said sufficient to insure its passage, and therefore withhold further suggestions at present.

TOLIVER & MILLER,  
*In the Minority.*

Mr. Norris, from the Committee to visit the State Reform School, submitted a report which was ordered printed.

Mr. Toliver from the Committee on Enrolled Bills, submitted the following report:

Mr. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

Senate File No. 122, A bill for an act to legalize the incorporation of the town of Monroe and also to legalize the acts and doings of the common council of said town under said act of incorporation.

G. S. TOLIVER, *Chairman.*

Mr. Irish, from the Committee on Railroads, submitted the following minority report:

Mr. SPEAKER—The minority of your Railroad Committee to whom was referred the various bills providing for the taxation of railroad property, beg leave respectfully to report back to the House, House File No. 8, with the recommendation that it do pass.

J. W. SATTERTHWAITE,  
JOHN P. IRISH.

Mr. Kasson from the Committee on Federal Relations submitted the following report:

Mr. SPEAKER—Your Committee on Federal Relations to whom was referred the resolutions relating to the civil contest in the Island of Cuba, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that they be adopted.

JOHN A. KASSON, *Chairman.*

Mr. Kasson moved the adoption of the resolutions.

Mr. Irish and Dunne demanded the yeas and nays, which were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—89.

The nays were—Messrs. Keables, Sater—2.

Absent or not voting:—

Messrs. Brown of Fayette, Conner, Elbert, Faville, Harrington, Huff, Miles of Wayne, Murdock, and Parsons—9.

So the resolution was adopted.

#### INTRODUCTION OF BILLS.

Mr. Rogers introduced House File No. 238, A bill for an act to provide a system of common schools. Read a first and second time and referred to the Committee on Schools.

Mr. Toliver introduced House File No. 239, A bill for an act to amend section one of chapter 77 of the Ninth General Assembly. Read a first and second time and referred to the Committee on County and Township Organizations.

Mr. Tufts introduced House File No. 240, A bill for an act to protect the people of Iowa from damages by fire from locomotives.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Dunne introduced House File No. 241, A bill for an act to amend section 9, chapter 137, of the acts of the Twelfth General Assembly. Read a first and second time and referred to the Committee on Compensation of Public Officers.

Mr. Hopkins introduced House File No. 242, A bill for an act to protect purchasers of patent rights and for other purposes. Read a first and second time and referred to the Committee on Agriculture, and ordered printed.

Mr. Rohlf's introduced House File No. 243, A bill for an act to amend an act entitled an act to encourage the planting and growth of timber, fruit trees, shade trees and hedges. Read a first and second time and referred to the Committee on Agriculture.

Mr. Bundy introduced House File No. 244, A bill for an act supplemental to an act to amend the laws in reference to the sale of intoxicating liquors, approved April 2, 1862. Read a first and second time and referred to the Committee on the Suppression of Intemperance.

Mr. Keables introduced House File No. 245, A bill for an act to discontinue the Geological Survey. Read a first and second time and referred to the Committee on Judiciary.

The Speaker announced the committee to invite Hon. Henry O'Conner to lecture before the General Assembly to be Messrs. Stutsman, Dunne, and Wood.

On motion of Mr. Pratt, the vote by which House File No. 66, and substitute for House File 86, was laid on the table, was re-considered.

#### RESOLUTIONS.

Mr. Ketcham offered the following resolution, which was adopted:  
*Resolved*, That the consideration of the majority and minority

reports from the Railroad Committee in reference to the taxation of railroad property, be made the special order for Thursday, March 10th, at 10 A. M.

Mr. Cutts offered the following resolutions which were referred to the Committee on Federal Relations :

JOINT RESOLUTION.

*Resolved, by the House of Representatives, the Senate concurring:*

1. That the true object and purpose of all Revenue Laws should be to raise the requisite amount of money for defraying the expenses of the Government, without imposing upon the people any unnecessary taxation, and, any tariff law, which under the guise of protection to home production affords or furnishes other or further protection than is incidental to an equitable and properly adjustable law—for revenue is unjust, unwise, and injurious to the best interests of the nation.

2. That our Representatives in Congress be requested and our Senators instructed to use their best endeavors to have the existing tariff laws so modified and adjusted as to secure to the Government the requisite amount of revenue without imposing upon the taxpayer and consumer any unnecessary taxes or burdens for the benefit of any section of the country or class of producers.

3. That the Governor be instructed to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Taylor offered the following resolution, which was adopted :

*Resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed and our Representatives be requested to use their efforts to secure a tri-weekly mail route from Strawberry Point, Clayton county, Iowa, so that it shall run from said town of Strawberry Point via St. Sebald and Volga City to the town of Elkader, the county seat of Clayton county.

*Be it further Resolved,* That the Secretary of State be requested to transmit a copy of this resolution to our Senators and Representatives in Congress.

MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 31, A bill for an act to repeal section 4227 of the Revision of 1860, relating to the crime of arson. Read a first and second time and referred to Committee on Judiciary.

House File No. 39, A bill for an act to amend section 1763 of the Revision of 1860, was taken up, with the Senate amendments.

Upon the question to concur in the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Greene, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker.—91.

The nays were—

Messrs. Rowell and Traer.—2.

Absent or not voting—

Messrs. Brown of Fayette, Connor, Faville, Harrington, Huff, Murdock, Marks—7.

So the amendment was concurred in.

The Senate substitute for House File No. 1, A bill for an act to amend chapter 86 of the Revision of 1860, regulating the sale of School Lands and for the protection of the Permanent School Fund, was taken up.

The House refused to concur in the Senate amendments.

On motion of Mr. Ketcham, a committee of Conference on the part of the House was appointed.

The Speaker appointed Messrs. Ketcham, Harper, and Mahin.

The Senate Joint Resolution in relation to national finances, was read and considered.

Mr. Irish moved its adoption.

Mr. O'Donnell offered the following resolution:

*Resolved by the General Assembly of Iowa,* That our Senators in Congress be instructed and our Representatives requested to take such steps as will secure an equitable re-distribution of the currency of the country, thereby giving to the West the fair proportion of which she has been deprived.

Mr. Lacey offered the following amendment to the substitute:

“And that such laws be enacted as will bring about the resumption of specie payment in order that the currency may be increased by putting into circulation the vast sums of gold now hoarded in the United States.”

On motion of Mr. DeGroat the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 4, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and resolution in which the concurrence of the House is asked:

Senate File No. 92, A bill for an act to authorize the working of persons confined in the jails of the State, and to protect prisoners.

Senate File No. 93, A bill for an act authorizing cities and towns to punish for the violation of ordinances and by-laws.

Senate File No. 120, A bill for an act to appropriate money for the State Reform School.

Senate File No. 154, A bill for an act to legalize the tax lists of Henry County, Iowa, for the year A. D., 1869.

Resolution authorizing the publication of an additional number of copies of the Auditor's report of the standing and business of insurance companies.

Also, that the Senate has ordered printed the usual number of copies of the report of the joint committee appointed to visit the State Reform School.

I also return herewith the following bill and resolution which have passed the Senate without amendment.

House File No. 40, A bill for an act to amend section 2, chapter 100, laws of the Twelfth General Assembly.

Concurrent resolution asking for additional mail facilities in Allamakee county.

JAMES M. WEART, *Secretary*.

The House took up the special order, being House File No. 51, A bill for an act to protect fur-bearing animals in the State of Iowa, was taken up and read a third time.

Mr. Wright, of Sac, moved to strike out April and insert May. The motion prevailed.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Bundy, Butler, Carver, Cutts, Day, Dickerson, Elbert,

Evans, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hunter, Irish, Jones, Keables, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Mills, Miracle, Newbold, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stutsman, Tait, Teale, Tolliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—62.

The nays were—

Messrs. Brown of Van Buren, Butterfield, Carpenter, Christoph, Crawford, DeGroat, Dudley, Dumont, Dunne, Durham, Harper, Harrison, Hopkirk, Ketcham, Lacey, Lommen, Miles of Washington, Millard, Morrison, Norris, Rosser, Satterthwaite, Stewart, and Wright of Allamakee—24.

Absent or not voting—

Messrs. Brown of Fayette, Campbell, Conner, Faville, Hood, Huff, Kasson, Miller, Murdock, Noel, Parsons, Stone, Swan, and Taylor—14.

So the bill passed and the title was agreed to.

#### PETITIONS.

Mr Toliver presented petitions from citizens of Humboldt county asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company. Referred to the Committee on Judiciary.

Mr. Sater presented a petition from Des Moines county, asking that there be but as few appropriations of public moneys as possible, and that there be no appropriation for a new capitol. Referred to Committee on Public Buildings.

Mr. Day presented a remonstrance from citizens of Northwestern Iowa, protesting against any legislation hostile to the Des Moines Valley Railroad Company, and praying that not a single acre of land be taken from the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Evans presented a petition from citizens of Muscatine county, and from the mayor and city council of the city of Muscatine, praying for a law to fix a maximum for freight charges on land grant railroads. Referred to Committee on Railroads.

Mr. Irish presented a petition protesting against the legalizing the creation of an independent school district in Graham township. Johnson county, Iowa, inclusive of a portion of Cedar county, Iowa. Referred to the Committee on Schools.

Mr. Christoph presented a petition from Dyersville, Iowa, asking for the passage of a law vacating the plat, streets, and alleys, of Gadsen's addition to East Dyersville, in Dubuque county, in said State. Referred to Committee on Judiciary.

Mr. McCoun presented a remonstrance of A. Rider, and other citizens of Palo Alto and Webster counties, protesting against any legislation hostile to the Des Moines Valley Railroad. Referred to Committee on Judiciary.

Mr. McCoun presented a remonstrance of P. J. Forey, and other citizens of Pocahontas county, against any hostile legislation to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

#### REPORT OF COMMITTEES.

Mr. Rowell, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 118, A bill for an act in relation to omnibus transfer companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 231, A bill for an act relating to foreign guardians of non-resident minors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following substitute, with the recommendation that said substitute do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 204, A bill for an act to amend the laws in respect to liens of mechanics and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass, with the following amendment: Add to the end of section two, the following: "And if the claimant shall fail to bring his suit within the thirty days after such demand shall be served on him by the owner, his lien shall be forfeited.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 191, A bill for an act to amend section 3729, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back



to the House with the recommendation that it do pass, with the following amendment: Strike out the words "connected with which they are incurred."

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 201, A bill for an act to legalize the acts of Ashford B. Elwood, deputy recorder of Montgomery county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 158, A bill for an act allowing the counties of Hamilton, Franklin, and Wright to have their causes heard at the argument term of the Supreme Court at Dubuque, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 43, A bill for an act to amend section 3079 of chapter 123, of the Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 210, A bill for an act to amend section 2803, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 129, A bill for an act to amend section 3051, Revision 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 118, A bill for an act to create the office of Surveyor-General, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 159, A bill for an act to require county treasurers to insert in tax receipts over each fund the per centum of the tax levied, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

Mr. Evans from the Committee on Roads and Highways submitted the following report :

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 229, A bill for an act to enable road district to make good roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

EVANS, *Chairman.*

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred Senate File No. 55, A bill for an act to amend section 822 of the Revision of 1860, relating to bridges, beg leave to report that they have have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

EVANS, *Chairman.*

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred the petition of William Fast and 211 other citizens of Van Buren and Jefferson counties in relation to vacation of roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that further action upon the same be indefinitely postponed.

EVANS, *Chairman.*

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 209, A bill for an act to

amend the road laws, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

EVANS, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. O'Donnell introduced House File No. 246, A bill for an act to establish an additional penitentiary at Farly, Iowa. Read a first and second time and referred to Committee on Public Buildings.

Mr. Toliver introduced House File No. 247, A bill for an act to amend Sections 3293 and 3332 of the Revision of 1860 in relation to executions. Read a first and second time and referred to Committee on Judiciary.

Mr. Rogers introduced House File No. 248, A bill for an act authorizing incorporated cities and towns to relinquish their interest in public squares or other public dedications under their control. Read a first and second time and referred to Committee on Incorporations.

Mr. Christoph introduced House File No. 249, A bill for an act to vacate a certain part of East Dyersville. Read a first and second time and referred to Committee on Judiciary.

#### RESOLUTIONS.

Mr. Stutsman offered the following resolutions, which were referred to the Committee on Federal Relations.

WHEREAS; William B. Critchfield and Henry C. Anderson, Private of Company "C" 13th., Regiment Iowa Volunteer Infantry, were, on or about the 3d day of April 1863, granted a leave of absence to go from their regiment to Providence, Louisiana, which was near by, and during their absence were captured by Adams' Confederate Cavalry and taken prisoners of war to Vicksburg and there confined in a military prison until their subsequent removal to the prison at Richmond, Virginia, where they were exchanged and returned to their regiment at Black River, Mississippi, for duty on the 16th day of October, 1863, and

WHEREAS. After the return of said soldiers to their regiment after said exchange, they were arrested by the authority of the United States and tried and convicted by a military court, upon a charge of "absence without leave" and as a penalty, said court ordered the forfeiture of all pay and allowance then due said soldiers from the Government of the United States: and

WHEREAS: William B. Critchfield on the 1st day of January, 1864, re-inlisted as a veteran in said regiment and was on the 16th of January, 1864, promoted to first Sergeant, of Company C. 5th

Regiment of U. S. Colored Infantry Volunteers, and on the 8th day of November, 1865, was again promoted to the office of first lieutenant of company F of said regiment, where he served his country with fidelity, and bravery until he was honorably discharged from the service, on the 16th day of June 1866, a period, in all, of near five years, during which time he was always prompt and ready, and was ever found where duty called him, battling for his country, and countries cause, and:

WHEREAS: Henry C. Anderson, on the 1st day of January, 1864 re-inlisted as a corporal and veteran in the 13th Regiment Iowa Volunteer Infantry, and served faithfully and honorably, and with bravery and promptness discharged the duties incumbent upon him as a soldier, until he was wounded at Atlanta, which rendered him wholly unfit for further military service, when he was honorably discharged from the service on the 23d day of May 1865, and is now a pensioner of the United States, caused by said wounds, while the said Henry C. Anderson was serving his country, he bore the highest testimonials for honesty; and fought bravely in the defense of his country, and for the preservation of its flag in the siege of Vicksburg, and the battles of Shiloh, Corinth, Iuka, and Atlanta, where he was wounded, and;

WHEREAS: This General Assembly of the State of Iowa is of the opinion that great injustice has been done to said soldiers by the findings and sentences of said military court and that the same was erroneous and unwarranted and that the said findings and sentences therein should be reversed, and said soldiers be allowed all pay and allowances taken from them by reason of the same, therefore:

*Be it Resolved by the General Assembly of the State of Iowa;* That we hereby request and instruct our Senators and Representatives in Congress to secure such legislation as will set aside the sentence of said military court, and secure to said William B. Critchfield and Henry C. Anderson all pay and allowance from the general government, forfeited by reason of said decisions; and that the Secretary of State be instructed to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Wright of Sac offered the following resolution:

*Resolved,* That W. H. Dement and A. R. Fulton, reporters of the Des Moines Daily *Bulletin* and Iowa State *Register* be allowed the same postage as the officers of this House.

On its adoption Messrs. Haycock and Sater demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson,

Dudley, Dumont, Dunne, Evans, Gibbons, Green, Harper, Harrington, Hartenbower, Haycock, Hopkins, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Pratt, Rosser, Rowell, Russell, Sanborn, Sater, Satterhwaite, Snow, Stanchfield, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker.—72.

The nays were—

Messrs. Campbell, Durham, Elbert, Hartshorn, Hirschler, Hobson, Hopkirk, McCoun, Miles of Wayne, Rogers, Rohlf, Spencer, Stewart, Stutsman, Teale—15.

Absent or not voting—

Messrs. Brown of Fayette, Conner, Faville, Harrison, Hood, Huff, Kasson, Murdock, Noel, Parsons, Stone, Swan and Williams—15.

The resolution was adopted.

Mr. Ketcham offered the following resolution, which was not adopted.

*Resolved*, That all bills relating to the establishment of Normal Schools, be made the special order for Wednesday, March 9th, 1879, at 10 o'clock, A. M.

#### MESSAGES ON SPEAKER'S TABLE.

The resolution in relation to printing one thousand copies of Auditor's Report relating to insurance.

Mr. Mills moved to amend by striking out "one thousand" and inserting "four thousand."

The motion did not prevail.

The Senate resolution was adopted.

Senate File No. 120, A bill for an act to appropriate money for the State Reform School, was read a first and second time.

Mr. Stutsman moved that the rule be suspended and the bill read a third time.

The motion did not prevail.

The bill was referred to Committee on Reform Schools.

Senate File No. 93, A bill for an act authorizing cities and towns to punish for violation of ordinances and by-laws. Read a first and second time and referred to Committee on Incorporations.

Senate File No. 154, A bill for an act to legalize the tax lists of Henry county, Iowa, was read a first and second time.

On motion of Mr. Newbold, the rule was suspended, and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Aplegate, Arnold, Ball, Beatty, Bell, Bonewitz, Brown

of Fayette, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—87.

The nays were—None.

Absent or not voting—

Messrs. Brown of Van Buren, Conner, Faville, Hood, Kasson, Marks, McCoun, McGavren, Murdock, Noel, Stone, Huff.—13.

So the bill passed and the title was agreed to.

Leave of absence was granted Messrs. Stone, Bundy, Hood, and Noel.

Senate File No. 92, A bill for an act to authorize the working of persons confined in the jails of the State and to protect prisoners. Read a first and second time and referred to Committee on Charitable Institutions and ordered printed.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

House File, No. 39, A bill for an act entitled an act to encourage the organization of fire companies, passed January 28th, 1850.

G. S. TOLIVER, *Chairman*.

#### BILLS ON SECOND READING.

House File No. 131, A bill for an act to repeal section 824 of the Revision of 1860, in relation to roads and to provide a substitute therefor was taken up.

Mr. Irish moved that the bill be indefinitely postponed.

The motion prevailed.

On motion of Mr. Dudley, House File No. 141, was laid on the table.

Mr. Snow moved to reconsider the vote by which Senate File No. 120 was referred to Committee on Reform Schools. The motion prevailed.

On motion of Mr. Russell the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hopkins, Hopkirk, Hunter, Irish Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—84.

The nays were—none.

Absent or not voting—

Messrs. Brown of Fayette, Connor, Crawford, Day, Faville, Haycock, Hood, Huff, Kasson, Marks, McCoun, Murdock, Noel, Parsons, Stone, and Wood—16.

So the bill passed and the title was agreed to.

House File No. 93, A bill for an act to amend chapter 172 of the acts of the Ninth General Assembly was taken up and read a second time.

On motion of Mr. Ketcham the bill was indefinitely postponed.

House File No. 116, A bill for an act to repeal section 3969 of the Revision of 1860, and to provide a substitute therefor, was read a second time, and on motion of Mr. Lacy the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker.—85.

The nays were—

Mr. Wright of Allamakee.—1.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Conner, Day, Faville, Hood, Huff, Irish, Marks, Murdock, Noel, Rowell, Stone, and Swan—14.

So the bill passed and title agreed to.

On motion of Mr. Toliver the vote by which House File No. 156 was referred to Committee on County and Township Organization, was reconsidered.

Mr. Wasson moved to refer the bill to Committee on County and Township Organization.

Mr. Dudley moved to refer with instructions. The motion prevailed.

The motion to refer prevailed.

On motion of Mr. Applegate the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Speaker in the chair.

#### SPECIAL ORDER.

The hour having arrived for the consideration of the special order, House File No. 184, A bill for an act to encourage immigration to the State of Iowa, the House entered upon the consideration of the bill.

Mr. Greene moved that the substitute reported by the committee be adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 51, A bill for an act to amend section 4, chapter 98 of the Laws of the Twelfth General Assembly, in relation to school orders.

Senate File No. 63, A bill for an act fixing the rate of interest on loans of the Penoret School Fund.

Senate Bill No. 78, A bill for an act to amend section 4615 of the Revision of 1860, in relation to grand jurors.

Senate Bill No. 89, A bill for an act to amend section 1 of chapter 92 of the acts of the 12th General Assembly.

Also, House File No. 31, A bill for an act to amend section 2700 of chapter 114 of Revision of 1860, with the following amend-



ments in which the concurrence of the House is asked. By inserting in section one after the word "white" the word "male" and by adding to said section the words, and by inserting in 3d line of said section after the word "he" the words "or she," and by striking out the 2d section of the bill.

Joint resolution asking for a tri-weekly mail route from the town of Strawberry point Clayton Co. Iowa, to the town of Elkader, county seat of same county, without amendment, and which is returned herewith.

Also that the Senate has indefinitely postponed House File No. 27, A bill for an act detaching certain lands in section 13, in township 78, north of range 3, east of the 5th principal meridian. from independent school-district No. 1, Davenport township, Scott county, Iowa, and annexing the same to the district township of said county.

JAMES M. WEART, *Secretary*.

Mr. Millard moved to amend section one as follows:

"There is hereby created a Board of Immigration which shall be composed of seven members, to be elected by the General Assembly, one from each Congressional District, to hold their office for two years and until their successors are elected and qualified. The Governor of the State shall be *ex-officio* President of the Board."

The motion did not prevail.

Mr. Irish offered a substitute for the substitute of the committee.

On the adoption of the substitute Messrs. Irish and Applegate demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ball, Beatty, Bell, Crawford, Gibbons, Harrison, Hartenbower, Hirschler, Irish, Lommen, O'Donnell, Sater, Satterthwaite, Teale, Traer, Tufts, Wright of Sac—17.

The nays were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Hunter, Keables, Ketcham, Lacey, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Snow, Spencer, Stanchfield, Tait, Taylor, Toliver, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Mr. Speaker—65.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Conner, Day, DeGroat, Faville, Huff, Hood, Jones, Kasson, Mahin, Murdock, Noel, Rowell, Stewart, Stone, Stutsman, and Swan—18.

So the substitute was lost.

Mr. Rohlfs moved to amend by filling blanks in section 2, by inserting the first Monday in April. The motion prevailed.

Mr. Rogers moved to amend section 1, by inserting an enacting clause. The motion prevailed.

The substitute of the committee was adopted.

On motion of Mr. Green the rule was suspended, the bill considered engrossed and read a third time. On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hopkins, Hopkirk, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Sanborn, Sater, Snow, Stanchfield, Tait, Taylor, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—74.

The nays were—

Messrs. Evans, Harrington, Harrison, Haycock, Rosser, Satterthwaite, Spencer, Teale, and Traer—9.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Connor, Crawford, Day, DeGroat, Faville, Hood, Huff, Hunter, Kasson, Mahin, Murdock, Noel, Rowell, Russell, Stewart, Stone, Stutsman, Swan—20.

So the bill passed, and the title was agreed to.

Mr. Arnold moved that when the House adjourns it be until Monday morning at 9 o'clock. Messrs. Morrison and Applegate demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Arnold, Beresheim, Butterfield, Carpenter, Christoph, Crawford, Cutts, Elbert, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hunter, Irish, Jones, Keables, Lacey, Lee, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Satterthwaite, Snow, Spencer, Stanchfield, Tait, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac—45.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Butler, Campbell, Carver, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Harrington, Haycock, Hobson, Hopkins, Hopkirk, Ketcham, Lommen, McCoun, Miles of Washington, Morrison, Newbold, Norris, Rosser, Sater, Taylor, Teale, Toliver, Traer, Tufts, Williams, Mr. Speaker—36.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Conner, Day, DeGroat, Faville, Hood, Huff, Kasson, Mahin, Murdock, Noel, Rowell, Russell, Sanborn, Stewart, Stone, Stutsman, Swan—19.

The motion to adjourn did not prevail.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

House File No. 40, A bill for an act to amend section 2, chapter 100, of the laws of the Twelfth General Assembly.

A joint resolution in relation to additional mail facilities.

G. S. TOLIVER, *Chairman.*

Mr. Wilson from the Committee to visit the Agricultural College and Farm, submitted a report which was placed on file and ordered printed.

House File No. 71, A Bill for an act to amend chapter 159, of the Revision of 1860, and to provide for the taking of depositions of witnesses out of the State, without commission, was read a second time.

Leave of absence was granted Messrs. Pratt, Rowell, Crawford, Gibbons, and Miracle.

Mr. Gibbons moved that the House do now adjourn. The motion did not prevail.

Leave was granted Mr. Harrison to present a petition from the citizens of Louisa county, asking that the board of supervisors be abolished. Referred to the Committee on County and Township Organizations.

Mr. Rogers moved that when the House adjourns it be until Monday morning at 9 o'clock.

Messrs. Applegate and Morrison demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Christoph, Crawford, Cutts, Elbert, Gibbons, Green, Harrison, Hartenbower, Hartshorn, Hirschler, Hunter, Irish, Jones, Keables, Lacey, Lee, Marks, Miracle, O'Donnell, Pratt, Rogers, Sanborn, Satterthwaite, Spencer, Stanchfield, Warner, Wasson, Wood, Wright of Allamakee, and Wright of Sac—30.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Harper, Harrington, Haycock, Hobson, Hopkins, Hopkirk, Ketcham, Lacey, Lommen, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold,

Norris, Rosser, Russell, Sater, Snow, Tait, Taylor, Teale, Toliver, Traer, Tufts, Williams, Wilson, and Mr. Speaker—51.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Conner, Day, DeGroat, Faville, Hood, Huff, Kasson, Mahin, Murdock, Noel, Parsons, Rohlf, Rowell, Stone, Stewart, Stutsman, and Swan—19.

So the motion did not prevail.

Leave was granted Mr. Millard to present a petition from the citizens of township 72, range 24, in Lucas County, asking for certain privileges in regard to Schools. Referred to Committee on Schools.

Mr. McCoun moved that the rule be suspended and House File No. 71 be read a third time now.

The amendment recommended by the Committee was adopted.

Mr. Crawford moved that House File No. 71 be made a special order for March 16, at 2 o'clock, P. M.

The motion did not prevail.

Mr. Applegate moved the previous question, which was seconded.

Mr. Hopkirk moved the main question be put.

The motion prevailed.

The motion to suspend the rule prevailed.

Leave was granted Mr. Jones to offer the following resolution which was referred to Committee on County and Township Organizations.

*Resolved*, That the Committee on County and Township Organization, to whom was referred House File No. 156, be instructed to obtain the opinion of the Auditor of State as to the annual amount which would be saved to the State of Iowa, and to the various funds by the use of the Week's Tax System.

Leave of absence was granted Messrs. Elbert, Swan, Stewart, and Rogers.

Mr. Irish moved that the House do now adjourn.

The motion did not prevail.

Mr. Stanchfield moved that when this House adjourns it be until Monday at 9.15 A. M.

Mr. Applegate demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Cutts, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartshorn, Hirschler, Hunter, Irish, Jones, Keables, Lacey, Lee, Marks, Mills, Miracle, Parsons, Pratt, Rohlf, Sanborn, Satterthwaite, Stanchfield, Wasson, and Wright of Sac.—26.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Dickerson, Dudley, Dumont, Dunne,

Durham, Harrington, Hartenbower, Haycock, Hobson, Hopkins, Hopkirk, Ketcham, Lommen, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Norris, O'Donnell, Rogers, Rosser, Sater, Snow, Spencer, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Williams, Wilson, Wood, Mr. Speaker.—54.

Absent or not voting—

Messrs. Brown of Fayette, Bundy, Day, DeGroat, Faville, Hood, Huff, Kasson, Mahin, Murdock, Noel, Rowell, Russell, Stewart, Stone, Stutsman, Swan, and Wright of Allamakee.—20.

The motion was lost.

Mr. Irish moved a call of the House.

Mr. Applegate moved the House adjourn.

The motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 5, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. L. Schobart.

The Journal of yesterday read and approved.

#### PETITIONS.

Mr. DeGroat presented a remonstrance of N. Kilburn and 150 other citizens of Jackson county, remonstrating against the diversion of Tete Des Morts Land Grant. Referred to the Committee on Railroads.

Mr. Parsons presented a petition from Thomas C. Stewart, and other citizens, asking the passage of a law for the protection of fish. Referred to the special committee.

On motion of Mr. Parsons a special committee was appointed.

The Speaker announced the special committee to consist of Messrs. Parsons, Irish, and Day.

Mr. McGavren presented a petition signed by the county officials and numerous other citizens of Harrison county, requesting that the transfer books be placed in the hands of the Recorder. Referred to the Committee on County and Township Organizations.

#### INTRODUCTION OF BILLS.

Mr. Wilson introduced House File No. 250, A bill for an act to legalize the tax levy of the District township of Toledo, and the

Independent District of Toledo in the township of Toledo, in Tama county, for the year 1869. Read a first and second time and referred to the Committee on Schools.

Leave was granted Mr. Arnold, from the Committee on Banks and Banking, to submit the following report :

The Committee on Banks and Banking to whom was referred House Files Nos. 235 and 236, bills for acts to enable State banks to close up their business, have had the same under consideration and have instructed me to report the same back to the House with a recommendation that they do pass with the following amendments: By filling the first blank in House File No. 235 with the word "three"—and the other two blanks with the words "two" and by adding an immediate publication claim to both bills.

D. ARNOLD, *Chairman.*

Mr. Arnold from the Committee on Public Buildings submitted the following report :

The Committee on Public Buildings to whom was referred House File No. 56, A bill for an act to complete the buildings for a Deaf and Dumb Asylum, have had the same under consideration and have instructed me to report the same back to the House with a recommendation that it do pass without amendment.

ARNOLD, *Chairman pro tem.*

Mr. Dudley from the Committee on Ways and Means submitted the following minority report :

MR. SPEAKER—The minority of your Committee on Ways and Means, not being able to agree with the majority of said Committee on House File No. 148, beg leave to state a few of the reasons that compel us to differ with the majority :

*First*—Said law creating circuit and general term courts is unnecessarily expensive, increasing our court expenses over \$300,000 a year in the State.

*Second*—It encourages litigation, by the frequent sessions at which appeals from justices courts may be heard, that, as a rule, benefit only the counsel.

*Third*—It is unsatisfactory, as in an appeal court there is always one of the judges favoring the decision and anxious to have it affirmed.

*Fourth*—It works a great hardship, by compelling the attendance of jurors at the county seat six times a year, thereby compelling them to neglect their own business. This is especially hard and unjust when farmers are compelled to attend in time of harvest.

*Fifth*—It delays the settlement of estates, increases the difficulties in their management, and largely increases the expense by

compelling administrators to employ attorneys in the most simple and plain cases.

For these, and various other reasons that suggest themselves to us, we beg leave to differ with the majority, and recommend that House File No. 148 do pass.

C. DUDLEY,  
J. H. HARTENBOWER,  
JOEL BROWN.

Mr. Newbold offered the following resolution which was laid over under the rule :

*Resolved*, That the Auditor of State be requested to furnish the House with a statement showing, first, in what banks the State funds are deposited, and what amount there is now in each bank. Second, What amount has been in bank during the last four years. Third, Whether any interest or compensation has been received from such deposits, and if so, how much.

#### MESSAGES ON THE SPEAKER'S TABLE.

House File No. 31, A bill for an act to amend section 2700 of chapter 222 of the Revision of 1860, was taken up and on the question in concurring in the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Arnold, Beatty, Bell, Bonewitz, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Green, Harper, Harrington, Hartenbower, Haycock, Hobson, Hopkins, Hopkirk, Hunter, Irish, Ketcham, Lacey, Lee, Lommen, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Morrison, Newbold, O'Donnell, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, and Mr. Speaker—61.

The nays were.

Messrs. Applegate, Ball, Beresheim, Christoph, Dunne, Hartshorn, Hirschler, Miles of Wayne, Wright of Allamakee—9.

Absent or not voting—

Messrs. Brown of Fayette, Brown of Van Buren, Bundy, Conner, Crawford, Elbert, Faville, Gibbons, Harrison, Hood, Huff, Jones, Kasson, Keables, Mahin, Marks, McCoun, Miracle, Murdock, Noel, Norris, Parsons, Pratt, Rowell, Snow, Stanchfield, Stewart, Stone, Swan, and Wright of Sac—30.

So the bill passed and the title was agreed to.

Senate File No. 89, A bill for an act to amend section 1 of chapter 92 of the acts of the Twelfth General Assembly. Read a first and second time and referred to Committee on Horticulture.

Senate File No. 63, A bill for an act fixing the rate of interest on loans of the permanent school fund. Read a first and second time and referred to Committee on Ways and Means.

Senate File No. 78, A bill for an act to amend section 4615 of the Revision of 1860 in relation to grand jurors. Read a first and second time and referred to Committee on Judiciary.

Senate File No. 51, A bill for an act to amend section 4, chapter 98, of the Laws of the Twelfth General Assembly, in relation to school orders. Read a first and second time and referred to Committee on Schools.

Mr. Teale, by leave, submitted a report from the committee to visit the Deaf and Dumb Asylum, which was referred to Committee on Public Buildings and ordered printed.

#### BILLS ON SECOND READING.

Senate File No. 40, A bill for an act to amend an act entitled an act in relation to jurors' fees, and the amendments proposed by the committee, were taken up.

On motion of Mr. Traer, the House refused to adopt the amendment proposed by the Committee.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Beresheim, Bonewitz, Butler, Butterfield, Campbell, Carver, Dickerson, Dudley, Durham, Harper, Harrington, Jones, Keables, Lee, Lommen, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Newbold, Norris, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Tait, Teale, Tufts, Wasson, Williams, Wilson, Mr. Speaker.—40.

The nays were—

Messrs. Ball, Beatty, Carpenter, Christoph, Cutts, Day, DeCroat, Dumont, Dunne, Evans, Green, Harrison, Hartenbower, Hartsborn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Hunter, Irish, Ketcham, Lacey, Marks, McCoun, McGavren, Morrison, O'Donnell, Rohlf, Stutsman, Taylor, Toliver, Traer, Warner, Wood, Wright of Allamakee.—36.

Absent or not voting—

Messrs. Brown of Fayette, Brown of Van Buren, Bundy, Conner, Crawford, Elbert, Faville, Gibbons, Hood, Huff, Kasson, Mahin, Miracle, Murdock, Noel, Parsons, Pratt, Rogers, Rowell, Stanchfield, Stewart, Stone, Swan, and Wright of Sac.—24.

The bill having failed to receive a constitutional majority did not pass.



Mr. Traer moved to reconsider the vote by which the bill was lost.

Mr. Evans moved that the motion to reconsider be laid on the table. The motion did not prevail.

Mr. Irish moved that further consideration of the bill be postponed until the first Monday in July next.

Mr. Wilson moved to amend by striking out the first Monday in July, and insert the third Monday in March. The motion was lost.

The motion to postpone until the first Monday in July was adopted.

House File No. 145, A bill for an act to amend section 4192 of the Revision of 1860, was taken up and on motion of Mr. Lacey, the bill and the substitutes were made special order for Friday next, at half-past 10, A. M.

House File No. 61, A bill for an act to amend chapter 124 of the Laws of the Eleventh General Assembly.

On motion of Mr. Russell, the bill was laid on the table.

House File No. 101, A bill for an act to repeal sections 1791 and 1792 of chapter 72 of the Revision of 1860 was taken up.

On motion of Mr. McCoun the bill was laid on the table.

House File No. 74, A bill for an act to legalize the acts of John S. Gilman, a Justice of the Peace of Franklin Township, Lee county, Iowa, was taken up and read a second time.

On motion of Mr. Ketcham the bill was laid on the table.

House File No. 122, A bill for an act to regulate Clerks' Fees, was taken up and read a second time.

On motion of Mr. O'Donnell the bill was indefinitely postponed.

House File No. 123, A bill for an act to amend the Revision of 1860, was taken up and read a second time.

On motion of Mr. Spencer the bill was indefinitely postponed.

House File No. 67, A bill for an act to amend section 3293 of chapter 125 of the Revision of 1860, was taken up and read a second time.

On motion of Mr. McCoun the bill was laid on the table.

Mr. Irish moved that the substitute for House File Nos. 7 and 8, be taken up and read a second time. The motion did not prevail.

House File No. 121, A bill for an act to amend chapter 212 of the Revision of 1860, was taken up and read a second time.

On motion of Mr. McCoun the bill was postponed until the first day of July next.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

Mr. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled :

House File No. 31, A bill for an act to amend section 2700 of chapter 114 of the Revision of 1860.

G. S. TOLIVER, *Chairman.*

A Joint Resolution, instructing our Senators and requesting our Representatives in Congress, to use their efforts to secure a tri-weekly mail route from Strawberry Point, Clayton county, Iowa, so that it shall run from said town of Strawberry Point *via* St. Sebald and Volga City, to the town of Elkader, the county seat of Clayton county.

G. S. TOLIVER, *Chairman.*

By leave of the House Mr. Traer offered the following resolution, which was adopted :

"That the use of this Hall be granted to the Des Moines Washington Society on Friday evening, March 11, 1870, for the purpose of hearing an address on the subject of Temperance, by Major Henry O'Conner.

On motion of Mr. Russell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 7, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. R. Turnbull.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Toliver presented a remonstrance of John S. Phillips and 12 other citizens of Webster county, against hostile legislation against the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Noel presented a remonstrance of Harvey Willis, and one hundred and eight citizens of Dallas county, against hostile legislation to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Noel presented a remonstrance from D. Y. Rogers, and fourteen other citizens of Dallas county, against legislation hostile to the Des Moines Valley Railroad. Referred to Committee on Judiciary.

Mr. Tait presented a remonstrance from two hundred and sixty-nine citizens of Jasper county, protesting against any appropriations for a new capitol building. Referred to Committee on Public Buildings.

Mr. Sater presented a remonstrance from the citizens of Des Moines county against any appropriation for a new capitol building. Referred to Committee on Public Buildings.

Mr. Mahin presented a petition from citizens of Muscatine county in favor of regulating railroad tariffs on land grant railroads.

#### REPORTS OF COMMITTEES.

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations, to whom were referred various resolutions for increased mail facilities in different parts of this State, herewith enclosed, beg leave to report that they have had the same under consideration, and have combined them in one joint resolution, as a substitute for all, and have instructed me to report the same back to the House with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman.*

The joint resolution was read and adopted.

The resolution laid over under Rule 34, asking information in regard to the depositing state funds in banks, was adopted.

#### INTRODUCTION OF BILLS.

Mr. Newbold introduced House File No. 251, A bill for an act in relation to the rights and duties of railroad companies. Read a first and second time and referred to Committee on Railroads.

Mr. Marks introduced House File No. 252, A bill for an act to facilitate the conveyance of real estate, and relating to the dower law, in amendment of section 1, of chapter 151, of the laws of the Ninth General Assembly. Read a first and second time and referred to Committee on Judiciary.

Mr. Beresheim offered a joint resolution relating to the terminus of Iowa railroads with the Union Pacific Railroad.

On motion of Mr. Dudley the resolution was adopted by a rising vote.

Mr. Harrison offered the following resolution, which was referred to Committee on State University:

*Resolved*, By the House of Representatives, the Senate concurring, that the Trustees of the State University are hereby instructed not to use or appropriate in any manner any of the permanent or

endowment funds or appropriations made at this session or any former session of this General Assembly for the purpose of creating or maintaining in any way what is known as the Medical Department of the State University of Iowa.

Leave was granted Mr. Haycock, from the Committee on Federal Relations to submit the following report and joint resolution, which was adopted :

MR. SPEAKER—Your Committee on Federal Relations to whom was referred House File No. 172, A bill for an act to change the name of Skunk river, beg leave to report that they have had the same under consideration, and have prepared a substitute in the form of a joint resolution, which they have instructed me to report back to the House with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman.*

Joint resolution changing the name of the Skunk river to its original one of Chicaqua:

*Be it resolved by the General Assembly of the State of Iowa,* That the name of the rivers of Central Iowa now known and designated as Skunk rivers shall be, and the same are hereby changed to Chicaqua, and by this name they shall be hereafter known and described in all legislative and judicial proceedings.

On motion of Mr. Russell, House File No. 172, A bill for an act to change the name of Skunk river, accompanying the foregoing resolution, was laid on the table.

#### BILLS ON SECOND READING.

House File No. 121, A bill for act to amend chapter 212 of the code of 1860, was taken up and considered.

On motion of Mr. Stone, the bill was indefinitely postponed.

Leave was granted Mr. Taylor to call up House File No. 235, A bill for an act to repeal an act entitled an act to incorporate the State Bank of Iowa, and to enable it to wind up its affairs, which was taken up and considered.

The amendments reported by the Committee were concurred in,

On motion of Mr. Taylor, the rule was suspended and the bill read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows ;

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Hunter, Jones, Kasson, Keables, Lacey, Lee,

Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rosser, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, Mr. Speaker—78.

The nays were—

Messrs. Butler, Sater, Wright of Allamakee—3.

Absent or not voting—

Messrs. Brown of Fayette, Butterfield, Conner, Evans, Faville, Gibbons, Hood, Huff, Irish, Marks, Murdock, Parsons, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, Traer—19.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed, without amendment, the following joint resolution relative to the initial point of the U. P. R. R.

J. A. T. HULL, *First Asst. Secretary:*

On motion of Mr. Taylor, House File No. 236, A bill for an act to repeal an act entitled an act authorizing general banking in the State of Iowa, passed March 22, 1858, was taken up and considered. The amendments reported by the committee were concurred in.

On motion of Mr. Taylor the rule was suspended, the bill was read a third time, and on the question shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Parsons, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker.—81.

The nays were—

Messrs. Wright of Allamakee.—1.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Connor, DeGroat, Evans,

Faville, Gibbons, Huff, Morrison, Murdock, Pratt, Rogers, Rohlf, Rowell, Stewart Snow, Swan, Traer—18.

So the bill passed and the title was agreed to.

Leave was granted Messrs. Jones, Kasson, Hopkins and Stutsman to present petitions from their respective counties, requesting the passage of a law requiring shutes for the passage of fish, to be placed in all mill dams now or hereafter to be erected across the several streams of this State.

Leave was granted Mr. Hunter to call up House File No. 153, A bill for an act allowing the counties of Hamilton, Franklin, and Wright to take their causes to the Argument Term of the Supreme Court at the city of Dubuque.

On motion of Mr. Hunter the rule was suspended and the bill read a third time, and on the question shall the bill pass? the yeas and nays were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—80.

The nays were—none.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Conner, DeGroat, Evans, Faville, Gibbons, Huff, Harper, Irish, Mahin, Murdock, Pratt, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, and Traer—20.

So the bill passed and the title was agreed to.

House File No. 12, A bill for an act to amend chapter 118 of the Laws of the Eleventh General Assembly, was taken up and considered.

Mr. Ketcham moved that the bill be referred to Committee on Printing.

Messrs. Dudley and Applegate demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Bundy, Campbell, Day, Dunne, Dickerson, Elbert, Gibbons, Harper, Harrington, Hartshorn, Hobson, Hood, Hunter, Jones, Ketcham, Lacy, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, O'Donnell, Parsons, Pratt, Rosser, Russell, San-

born, Satterthwaite, Stanchfield, Stone, Tait, Teale, Tufts, Wasson, Williams, Wilson, and Wright of Sac.—45.

The nays were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Dudley, Dumont, Durham, Green, Harrison, Hartenbower, Haycock, Hirschler, Hopkins, Hopkirk, Lee, Morrison, Newbold, Noel, Norris, Sater, Spencer, Stutsman, Taylor, Toliver, Warner, Wood, Wright of Allamakee, and Mr. Speaker—38.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Connor, DeGroat, Evans, Faville, Huff, Irish, Kasson, Murdock, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, and Traer.—17.

So the bill was referred to Committee on Printing.

House File No. 134, A bill for an act to repeal section 1705, Revision of 1860 and section 1, chapter 136, acts of 12th General Assembly was taken up and considered.

On motion of Mr. Wilson the bill was laid on the table.

House File No. 114, A bill for an act to amend chapter 61, of the Revision of 1869, concerning fences. Was taken up and considered.

On motion of Mr. Dickerson the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Lommen, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rosser, Russell, Sanborn, Sater, Spencer, Stanchfield, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker.—79.

The nays were—

None.

Absent and not voting—

Messrs. Brown of Fayette, Butler, Conner, DeGroat, Evans, Faville, Irish, Kasson, Mahin, Marks, Murdock, Rogers, Rohlf, Rowell, Satterthwaite, Snow, Stewart, Stone, Swan, Traer.—21.

So the bill passed, and the title was agreed to.

House File No. 111, A bill for an act to amend section 10, chapter 144, Acts of Twelfth General Assembly, was taken up and considered.

On motion of Mr. Wilson the bill was indefinitely postponed.

Senate File No. 50, A bill for an act to amend chapter 144 of acts of Twelfth General Assembly in relation to protection of crops against the invasion of stock, was taken up and considered.

On motion of Mr. Wilson the rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—82.

The nays were—None.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Conner, DeGroat, Faville, Gibbons, Huff, Kasson, Mahin, Marks, Murdock, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, Traer—18.

So the bill passed and the title was agreed to.

House File No. 45, A bill for an act to force sites for school houses, was taken up and considered.

On motion of Mr. Applegate, the amendments proposed by the Committee on Schools were concurred in.

Mr. Applegate moved to amend the amendment by inserting 20 rods.

Mr. Wilson moved to refer to Committee on Schools. The motion prevailed.

House File No. 154, A bill for an act to prohibit corporal punishment in schools, was taken up and considered.

On motion of Mr. Miles of Washington, the bill was laid on the table.

Leave was granted Mr. Day to introduce House File No. 253, A bill for an act for the formation of the thirteenth judicial district, and for the election of district and circuit judges and district attorney therein. Read a first and second time, and referred to Committee on Judiciary, and ordered printed.



Leave was granted Mr. Gibbons to present the following bills :

House File No. 254, B bill for an act regulating the holding of the terms of the circuit court in different places in the county of Lee, Iowa. Read a first and second time and referred to Committee on Judiciary.

House File No. 255, A bill for an act giving additional jurisdiction to circuit courts. Read a first and second time and referred to Committee on Judiciary.

House File No. 174, A bill for an act to provide for publication of the laws of the Thirteenth General Assembly in certain newspapers printed in German, and for the translation thereof, was taken up and passed on file.

House File No. 76, A bill for an act to amend sections number one, number four, and number twelve, of chapter 137 of the laws of the Twelfth General Assembly, was taken up, and on motion of Mr. Applegate, the bill was recommitted to Committee on County and Township Organization.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

Senate File No. 120, A bill for an act to appropriate money for the State Reform School.

Senate File No. 154, A bill for an act to legalize the tax lists of Henry county, Iowa, for the year A. D. 1869.

G. S. TOLIVER, *Chairman.*

On motion of Mr. McCoun, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.  
Speaker in the chair.

House File No. 142, A bill for an act to define the manner of paying taxes, was taken up and considered.

On motion of Mr. Teale, the bill was referred to Committee on Judiciary.

House File No. 163, A bill for an act to facilitate the organization of civil townships in certain cases.

Mr. Toliver moved that the rule be suspended and the bill read a third time now. The motion did not prevail.

On motion of Mr. Marks, the bill was indefinitely postponed.

House File No. 106, A bill for an act to consolidate taxes which are uniform in civil townships and independent school districts, and to amend section 746 of the Revision of 1860, was taken up and considered.

Mr. Toliver moved to amend by adding after section first, "Provided that the tax receipts shall show the number of mills levied for each separate fund. The motion did not prevail.

On motion of Mr. Toliver, the rule was suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Bundy, Carpenter, Dickerson, Dudley, Dumont, Durham, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hopkirk, Hunter, Jones, Keables, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Pratt, Sanborn, Spencer, Stone, Stutsman, Tait, Taylor, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, Mr. Speaker—45.

The nays were—

Messrs. Arnold, Beatty, Brown of Van Buren, Campbell, Christoph, Crawford, Cutts, DeGroat, Dunne, Harrington, Haycock, Hobson, Hood, Hopkins, Kasson, Ketcham, Lacey, McCoun, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Rosser, Russell, Sater, Satterthwaite, Stanchfield, Teale, Toliver, Tufts, Wilson, Wood—34.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Butterfield, Carver, Conner, Day, Elbert, Evans, Faville, Harrison, Huff, Irish, Murdock, Parsons, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, and Traer—21.

So the bill having failed to receive a constitutional majority was lost.

On motion of Mr. Toliver the vote by which the bill was lost was re-considered.

On motion of Mr. Pratt, the vote by which the bill was ordered to a third reading was re-considered.

Mr. Newbold moved to amend as follows: add to section 1, "that each tax receipt shall show the number of per centum assessed for each separate fund.

The motion prevailed.

On motion of Mr. Applegate, the rule was suspended and the bill was read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :—

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Bundy, Butterfield,

Campbell, Carpenter, Day, Dickerson, Dudley, Dumont, Durham, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hood, Hopkirk, Hunter, Jones, Keables, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Parsons, Pratt, Sanborn, Satterthwaite, Spencer, Stone, Stutsman, Tait, Taylor, Tolver, Warner, Wasson, Williams, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—52.

The nays were—

Messrs. Arnold, Beatty, Brown of Van Buren, Christoph, Crawford, Cutts, DeGroat, Dunne, Harrington, Haycock, Hobson, Hopkins, Ketcham, Lacey, Lee, Mills, Noel, Norris, O'Donnell, Rosser, Russell, Sater, Stanchfield, Tufts, and Wilson—26.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Butler, Carver, Conner, Elbert, Evans, Faville, Harrison, Huff, Irish, Kasson, Murdock, Rohlf, Rowell, Snow, Stewart, Swan, Teale, and Traer—22.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 53, A bill for an act to punish and suppress prize fighting.

Senate File No. 140, A bill for an act to amend section 3275 of the Revision of 1860, as to the duties of certain treasurers.

I also return herewith joint resolution asking the establishment of a daily mail from Valiska, Montgomery county, Iowa, to Marysville, Missouri, by way of Hawleyville and Clarinda, Page county, Iowa, which has passed the Senate without amendment.

JAMES M. WEART, *Secretary*.

Mr. Lacey moved that the vote by which House File No. 12, A bill for an act to amend chapter 118, Laws of the Eleventh General Assembly was referred to the Committee on Printing to be reconsidered.

Mr. Ketcham moved to lay the motion on the table.

Messrs. Dudley and Brown of Van Buren demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Arnold, Bonewitz, Campbell, Day, Dickerson, Dunne, Gibbons, Harrington, Hartshorn, Hirschler, Hobson, Hood, Hunter, Ketcham, Mahin, Marks, McCoun, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, O'Donnell, Pratt, Russell, Satter-

thwaite, Stanchfield, Stone, Teale, Toliver, Tufts, Warner, Williams, Wilson, Wood, and Wright of Sac.—36.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Brown of Van Buren, Bundy, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dudley, Dumont, Durham, Green, Hartenbower, Haycock, Hopkins, Hopkirk, Jones, Keables, Lacey, Lee, Lommen, McGavren, Miller, Miracle, Morrison, Noel, Norris, Parsons, Rosser, Sanborn, Sater, Spencer, Stutsman, Tait, Taylor, Wasson, Wright of Allamakee, and Mr. Speaker—42.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Butler, Butterfield, Conner, Elbert, Evans, Faville, Harper, Harrison, Huff, Irish, Kasson, Murdock, Newbold, Rogers, Rohlf, Rowell, Snow, Stewart, Swan, and Traer.—22.

So the motion to table did not prevail.

On motion of Mr. Dunne, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 7th, 1870.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. J. M. Holms.

Journal of Saturday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to recede from its amendments to substitute for House File No. 1, A bill for an act to amend section 3 of chapter 118 of the Laws of the Tenth General Assembly, and section 11 of chapter 148 of the Laws of the Ninth General Assembly, and to regulate the sale of school land, and have agreed to a conference on the disagreeing votes of the two Houses thereon, and have appointed Senators Wolf and Smyth managers of said conference on the part of the Senate.

JAMES M. WEART, *Secretary*.

On motion of Mr. Parsons, House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad, and to provide for the sale of the same, was made the special order for March 16th, at 10 o'clock A. M.

## REPORTS OF COMMITTEES.

Mr. Miles of Washington from the Joint Committee to visit the Iowa Insane Hospital presented a report which was placed on file and ordered printed.

## REMONSTRANCE.

Leave was granted Mr. Applegate to present a remonstrance against the division of the Tete Des Morts Land Grant. Referred to Committee on Railroads.

## INTRODUCTION OF BILLS.

Mr. Mills introduced House File No. 260, A bill for an act creating a Board of Railroad Commissioners. Read a first and second time and referred to Committee on Railroads.

## MESSAGES ON SPEAKER'S TABLE.

Substitute for Senate' File No. 36, A bill for an act to authorize the improvement of streets and alleys. Read a first and second time and referred to the Committee on Incorporation.

## BILLS ON SECOND READING.

House File No. 137, A bill for an act to repeal section 2824 of chapter 120 of the Revision of 1860 and enact a substitute therefor, was taken up and considered.

On motion of Mr. Harper the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bonewitz, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—82.

The nays were—none.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Butterfield, Conner, Dudley, Faville, Harrison, Haycock, Hirschler, Kasson, Ketcham, Miles of Washington, Murdock, Parsons, Pratt, Stone, Williams, and Wilson—18.

So the bill passed and the title was agreed to.

Leave was granted Mr. Irish to record his vote "No" on House File No. 236.

House File No. 79, A bill for an act for the more effectual prevention of cruelty to animals was taken up and considered.

On motion of Mr. Stutsman the House concurred in the amendments proposed by the committee to section 2.

On motion of Mr. Harper the amendments proposed by the committee to section 4 were concurred in by the House.

On motion of Mr. Green the House refused to concur in the amendments proposed by the committee to section 6.

On motion of Mr. Green the House refused to concur in the amendments proposed by the committee to section 8.

On motion of Mr. Green the House concurred in the amendments proposed by the committee to section 9.

Mr. Applegate moved that the House concur in the amendments proposed by the committee to section 10. The motion prevailed.

On motion of Mr. Irish the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bonewitz, Bundy, Butler, Campbell, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Elbert, Gibbons, Green, Harper, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marke, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—76.

The nays were—

Messrs. Brown of Van Buren, Carpenter, Christoph, Crawford, DeGroat, Dunne, Durham, Evans, Harrington, Hartenbower, Miles of Washington, O'Donnell, Rosser, Sater, Spencer, Stewart, Traer, Warner, Wright of Allamakee—19.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Butterfield, Conner, and Faville—5.

So the bill passed and the title was agreed to.

Mr. Toliver from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

House File No. 171, A bill for an act to legalize the incorporation of the Regular Baptist Church at Jordan's Grove, Linn county, State of Iowa.

Also, a Joint Resolution asking the establishment of a daily mail from Valiska, Montgomery county, Iowa, to Marysville, Missouri, by way of Hawleyville and Clarinda, Page county, Iowa.

G. S. TOLIVER, *Chairman.*

House File No. 80, A bill for an act to increase the penalty for violating section 4392, Revision of 1860, an act for the observance of the Sabbath, was taken up and considered.

The hour having arrived for the consideration of the special order, a substitute for Senate File No. 72, A bill for an act to provide a State Capitol, on motion of Mr. Haycock the special order was taken up.

Leave was granted Mr. Traer to withdraw his motion to indefinitely postpone the bill.

On motion of Mr. Russell, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

The House resumed consideration of the special order, being Senate File No. 72.

Mr. Stone moved to amend section 1st by striking out all after the word commissioners in the third line, and the words joint convention, and insert in lieu thereof the following named gentlemen, to-wit: "Consisting of the following named gentlemen, to-wit: Edward Johnson, of the 1st Congressional District; Hiram Price, of the 2d Congressional District; E. Price, of the 3d Congressional District; Peter A. Day, of the 4th Congressional District; G. M. Dodge, of the 5th Congressional District; and John Scott, of the 6th Congressional District." 2d. Also insert after the word elected in the 5th line of said section the words "by the Senate and House of Representatives in joint convention."

Mr. Arnold moved to amend the amendment by inserting E. W. Eastman in lieu of John Scott. The motion did not prevail.

Mr. Traer moved to amend by striking out Peter A. Day and inserting R. S. Finkbine. The motion was lost.

The question recurring on the amendment, the motion did not prevail.

Mr. Kasson moved the previous question, which was seconded.

The question, shall the main question be now put? was decided in the affirmative.

Upon the question of ordering the bill to be engrossed and read a third time, Messrs. Cutts and Kasson demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Beresheim, Bundy, Butler, Campbell, Crawford, Day, DeGroat, Dunne, Durham, Gibbons, Hartenbower, Hirschler, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Mahin, Marks, McCoun, McGavren, Merritt, Millard, Miller, Mills, Miracle, Murdock, Noel, Norris, Parsons, Rogers, Rohlf, Rowell, Spencer, Stewart, Stone, Swan, Taylor, Teale, Toliver, Wood, Wright of Alamakee, Wright of Sac and Mr. Speaker—49.

The nays were—

Messrs. Arnold, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkirk, Huff, Lacey, Lomen, Miles of Washington, Miles of Wayne, Morrison, Newbold, O'Donnell, Pratt, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stutsman, Tait, Traer, Tufts, Warner, Wasson, Williams, and Wilson—48.

Absent or not voting—

Messrs. Butterfield, Conner, and Faville—3.

So the bill was ordered to be engrossed and read a third time.

Mr. Kasson moved that the House do now adjourn. The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 8, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. J. G. Dimmitt.

The journal of yesterday read and approved.



## PETITIONS.

Mr. Keables presented a petition of J. H. Betzer and about two hundred other citizens of Marion county, asking the General Assembly to take the necessary measures for the formation of a new county formed from parts of Marion, Jasper, and Mahaska counties. Referred to Committee on Constitutional Amendments.

Mr. DeGroat presented a remonstrance from 112 citizens of Jackson county, remonstrating against the division of the Tete Des Morts Land Grant. Referred to Committee on Railroads.

Mr. Bundy presented a petition from Ira A. Draper and other citizens of Jasper county, requesting an appropriation for a new capital building. Referred to Committee on public buildings.

Mr. Campbell presented a petition from I. A. Streght, asking pay for subsistence of recruits to Co. E, 23d Iowa, while in transit, also pay for transportation. Referred to Committee on Claims.

Mr. Rogers presented a petition of Charles H. Lathrop and seven other physicians of Clinton Medical Association, asking for the continuation of the medical department of the State University. Referred to Committee on Medical Institutions.

Mr. Rosser presented a petition from the citizens of Village Township, Van Buren county, Iowa, asking for the repeal of an act of the legislature in the year 18—, which divided Village Township into two precincts. Referred to Committee on County and Township Organizations.

Mr. Sater presented a remonstrance from the citizens of Des Moines county against any appropriation for a new State capital building. Referred to Committee on Public Buildings.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER— I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

Senate File No. 166, A bill for an act to enable Forest City Township, Howard County, to hold a special election for Township Trustees and Township Clerk.

J. A. T. HULL, *1st Assistant Secretary.*

## INTRODUCTION OF BILLS.

Mr. Wasson introduced House File 256, A bill for an act to enable justices of the peace to procure a copy of Conklin's, Iowa Justice for use of their respective offices.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Stanchfield introduced House File No. 257, A bill for an act to permanently locate the State Reform School for juvenile offenders in Linn County, Iowa.

Read a first a second time and referred to the Committee on Schools.

Mr. Warner introduced House File No. 258, A bill for an act to attach certain lands to Main Township, Linn County, for school purposes.

Read a first and second time and referred to Committee on Schools.

Mr. Dunne introduced House File No. 259, A bill for an act to repeal chapter 137, of the acts of the Twelfth General Assembly.

Read a first and second time and referred to Committee on Judiciary, and ordered printed.

#### MESSAGE ON SPEAKER'S TABLE.

The communication from the Auditor of State in regard to depositing the State funds in banks was taken up and referred to Committee on Ways and Means, and ordered printed.

#### REPORTS OF COMMITTEES.

Mr. Murdock, from the Committee on Public Buildings, submitted the following report:

MR. SPEAKER—Your Committee on Public Buildings, to whom was referred Senate File No. 72, A bill for an act to provide a State capitol, beg leave to report that they have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House with the recommendation that it do pass with the following amendment:

Insert after the word *them* in the second line of section 3, the words, "who shall be a resident of this State, if a suitable person can be obtained."

SAMUEL MURDOCK, *Chairman.*

Senate File No. 166, A bill for an act to enable Forest City township, Howard county, to hold a special election for the election of township officers. Read a first and second time and referred to Committee on County and Township Organizations.

Senate File No. 140, A bill for an act to amend section 3275, as to the duties of certain treasurers. Read a first and second time, and referred to Committee on Ways and Means.

Senate File No. 53, A bill for an act to punish and suppress prize fighting. Read a first and second time and referred to Committee on Police Regulations.

Mr. Mahin moved to reconsider the vote by which House File No. 236, was passed. The motion did not prevail.

BILLS ON SECOND READING.

House File No. 83, A bill for an act to compel the observance of the Sabbath, was taken up and considered.

On motion of Mr. Applegate the bill was indefinitely postponed.

House File No. 6, A bill for an act repealing chapter 95, of the acts of the Twelfth General Assembly, and the substitute reported by the Committee were taken up and considered.

On motion of Mr. Applegate the substitute was adopted.

On motion of Mr. Applegate the rule was suspended, the bill read a third time, and on question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Statsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—85.

The nays were—

Messrs. Christoph, Crawford, DeGroat, Dunne, Lommen, Meritt—6.

Absent or not voting—

Messrs. Brown of Fayette, Butler, Butterfield, Conner, Faville, Green, Huff, Mills, Murdock—9.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order.

On motion of Mr. Kasson the bill was taken up and considered.

On motion of Mr. Arnold, the amendment recommended by the committee was adopted.

Mr. Campbell moved to amend the first section by striking out of the third and fourth lines the words "six other commissioners who shall be chosen by the Senate and the House of Representatives in joint convention," and inserting in place thereof the names:

Edward Johnson, of the 1st Congressional District.  
Hiram Price, of the 2nd Congressional District.

J. O. Crosby, of the 3rd Congressional District.

P. A. Dey, of the 4th Congressional District.

G. M. Dodge, of the 5th Congressional District.

A. W. Hubbard, of the 6th Congressional District.

Also to further amend said section by striking out of the fourth and fifth lines the words, "their election" and inserting in place thereof the words "the passage of this act."

Also to further amend said section by inserting in the fifth line after the word "elected" the words "by succeeding General Assemblies."

The motion to amend was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 36, A bill for an act to authorize the improvement of streets and alleys.

Also that the Senate has ordered printed the report of the joint committee appointed to visit the additional Institution for the Insane at Independence.

I also return herewith the following bill which has passed the Senate without amendment:

House File No. 171, A bill for an act to legalize the incorporation of the regular Baptist Church, Linn county, State of Iowa.

JAMES M. WEART, *Secretary*.

Mr. Traer moved that the bill be indefinitely postponed.

Mr. Kasson moved that when this House adjourns it be until two o'clock, P. M. The motion prevailed.

On motion of Mr. Sater the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

The House resumed the consideration of special order.

On motion of Mr. Kasson, the further consideration of the special order was postponed until to-morrow, 10 A. M.

On motion of Mr. Russell, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
March 10, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. H. S. DeForest.

The Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

Senate File No. 105, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney and ducts, and the improvement of the gardens and farms of the "Iowa Hospital for the Insane" at Independence.

JAMES M. WEART, *Secretary*,

## PETITIONS.

Mr. Harper presented a remonstrance from nine hundred and twenty-seven tax payers of Des Moines county, remonstrating against a Capitol appropriation bill, which was placed on file.

Mr. Hirschler presented a petition from O. Cutter and eighty-four other citizens of Lee county, asking the taxation of Railroad property.

Referred to Committee on Railroads.

Mr. Parsons presented a petition from the citizens of Webster county, asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company.

Referred to Committee on Railroads.

Mr. Huff presented a petition from M. C. Woodruff and eighty-four other citizens of Hardin county, asking the enactment of a law providing a proper system of drainage and to enable owners of wet lands to procure outlets for drains across highways or through the lands of others when the channels are too shallow to carry off the water, etc.

Referred to Committee on Agriculture.

Mr. Sater presented a petition from citizens of New London, Henry county, Iowa, asking for a more efficient drainage law.

Referred to Committee on Agriculture.

Mr. Traer presented a petition from the citizens of Benton county,

asking for the amendment of the game laws so as to prevent the killing of all birds except the crows and bird hawks, etc.

Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Campbell, from the Committee on Engrossed Bills, submitted the following report.

MR. SPEAKER—The Committee on Engrossed bills ask leave to report that they have examined the following bill, and find the same correctly engrossed :

Senate File No. 72, A bill for an act to provide a State capitol.

W. H. CAMPBELL, *Chairman.*

Mr. Wilson, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER—Your Committee on Agriculture, to whom was referred House Files Nos. 59, 98, and blank, Bills for an act in relation to drainage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with a substitute, and recommend that it do pass.

JAMES WILSON, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Pratt introduced House File No. 261, A bill for an act to amend section 3353 of the Revision of 1860.

Read a first and second time and referred to Committee on Judiciary.

Mr. Rogers introduced House File No. 262, A bill for an act relating to the acknowledgments and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

Read a first and second time, and referred to Committee on Judiciary.

Mr. Rogers introduced House File No. 263, A bill for an act to amend section 3294 of the Revision of 1860.

Read a first and second time and referred to Committee on Judiciary.

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 105, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney, and ducts, and the improvement of the

grounds and farm of the Iowa Hospital for the Insane at Independence. Read a first and second time and referred to Committee on Public Buildings.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to return herewith substitute for House File No. 3, A bill for an act to restrain stock from running at large, which has passed the Senate without amendment.

JAMES M. WEART, *Secretary*.

BILLS ON SECOND READING.

House File No. 180, A bill for an act to increase the penalty for violating section 4392, Revision of 1860, an act for the observance of the Sabbath, was taken up and considered.

On motion of Mr. Hartshorn the rule was suspended, the bill considered engrossed, and read a third time, and on the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Arnold, Beatty, Bell, Bonewitz, Brown of Van Buren, Butterfield, Campbell, Carver, Dudley, Dumont, Elbert, Evans, Harper, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Kasson, Ketcham, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Newhold, Noel, Parsons, Pratt, Rosser, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee.—57.

The nays were—

Messrs. Applegate, Ball, Beresheim, Carpenter, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dunne, Durham, Gibbons, Green, Harrison, Hartenbower, Hirschler, Hood, Irish, Keables, Lacey, Lee, Marks, Mills, Morrison, Murdock, O'Donnell, Rogers, Rohlfis, Rowell, Sater, Stone, Teale, Wood, Wright of Sac, and Mr. Speaker—36.

Absent or not voting—

Messrs. Bundy, Butler, Conner, Faville, Jones, Norris, and Williams—7.

So the bill passed and the title was agreed to.

The Speaker announced that the hour had arrived for the consideration of the special order, House File Nos. 8 and 117, referring to the question of railroad taxation.

The House having determined to consider the substitute reported by the railroad committee, the chair stated that it would be considered as a new bill entitled House File No. 264, A bill for an act for

the taxation of railroad property. The bill was taken up and read a first and second time.

Mr. Irish moved to strike out all after the enacting clause and insert the following :

SECTION 1. That all the property, both real and personal, belonging to railroad corporations in this State, shall hereafter be taxed for all purposes the same as that of individuals with the exceptions and under the regulations as hereinafter specified.

SEC. 2. Every railroad corporation in this State shall make a list or schedule of the taxable property of said corporation, to be signed and sworn to by the Secretary, or other officer of said corporation, which list or schedule shall contain, 1st, a description of all the real property owned or occupied by such corporation in each county, city or town, through which such road may run ; and the actual value of each lot or parcel of land, including the improvements thereon, except the track or superstructure of said road, shall be annexed to the description of such lot or parcel of land.

2d. Said list shall also set forth the number of acres taken for right of way, stations, or other purposes, from each tract of land through which said road may run, describing said land as near as practicable, in accordance with the surveys of the United States, giving the width of the strip or parcel of land ; also, the whole number of acres, and the aggregate value thereof, in said county, city or town.

3d. Said list shall also set forth the length of the main track, and the length of all side tracks, and turnouts to each county, city and town through which the road may run, with the actual value of the improvements at each of the several stations, when said stations are not a part of city or town lots.

The said stations and property shall be denominated "fixed and stationary personal property."

4th. Said list shall also contain an inventory of the rolling stock of said company, with the value thereof, and also the value of all other personal property owned by said company in each county, city or town in this State. Said list of rolling stock shall set forth total amount and value of all the rolling stock belonging to said company, whether in this State or not, and also the length of the whole of the main track of said road, whether in this or another State.

Said rolling stock shall be listed and taxed in the several counties, cities and towns of the State *pro rata*, in proportion as the length of the main track in such county, city or town bears to the whole length of the road.

All other property shall be listed and taxed in the county, city or town where the same is located or used.

SEC. 3. The description of all lands owned or occupied under lease or otherwise, by any railroad company for right of way or sta-



tion purposes other than those which are part of a laid-off town or city, shall be entered by the assessor on his books as being a strip or parcel of land extending on each side of the said railroad track and embracing the same, commencing at a point where the said railroad track crosses the boundary line of said county, city, or town, and extending to a point where the said track crosses the boundary line of such county, city, or town in an opposite direction, or to the point of its termination in the same (as the case may be) containing ——— acres, more or less, (inserting the name of county, city, or town, boundary line of the same, and number of acres; and when advertised by any collector to be sold for taxes, or when sold, no other description shall be necessary.

SEC. 4. The county auditor shall furnish suitable blanks for the use of assessors, and they are hereby required to list and assess any and all property, whether real or personal, that may have been omitted in the sworn return of the secretary, or other officer of the company, and if any such omission be not discovered in time to be entered on the tax list of the proper year, he shall assess the same, and the amount of tax due thereon shall be added on the tax of the following year.

SEC. 5. The return of the list of schedule of taxable property belonging to any railroad company or companies, required by section two of this act, shall be made to the county auditor of each county through which said road may run, on or before the first day of May, 1870, for the purpose of taxation for said year, and annually thereafter on the first day of May each year. Said auditor shall lay the same before the board of supervisors of his county, when they meet to equalize the assessment of property. If said board are satisfied that such return is correct they shall assess it accordingly; but if they believe that such schedule or list does not contain a full and fair statement of the property of such company subject to taxation in said county, made out and valued in accordance with the requirements of law, or if such company shall fail to return such list or schedule as required by law, said board shall assess such property, or cause it to be assessed in accordance with the best information at their command.

SEC. 6. Every railroad company required to make a return as provided for in section 2 of this act, that shall refuse or neglect to deliver to the Auditor of the proper county a correct list of their taxable property in such county, on or before the 1st of May each year, shall be liable to a penalty of not less than one hundred and not more than one thousand dollars, to be recovered by civil action in the name of the county, at the instance of any citizen and taxpayer of said county, and such person shall have one half the amount of such penalty for making complaint.

SEC. 7. The property of all railroad corporations shall be liable to taxation for municipal purposes, as well as county, State, and other

general purposes, the same as the property of private individuals, and for this purpose such municipal corporations shall have access to the list or schedule required to be furnished to the county Auditor for the purpose of ascertaining the proper valuation of the property of said company within said corporation, and the *pro rata* share of the valuation of the rolling stock of the company, and in case the company shall not have made return of a list or schedule of their property as hereinbefore required, then the municipal authorities shall assess the property of said corporation at what to them shall seem just and proper from the best information at their command.

SEC. 8. All laws now or hereafter in force in relation to the collection of taxes, interest, penalties and costs on delinquent taxes, shall apply to the taxes levied on railroad property as provided for in this act.

SEC. 9. None of the provisions of this act shall apply to any new railroad not now built, nor to that portion thereof of any railroad now being built that shall be completed after the passage of this act, for the term of three years from and after the time such road is in running order to or through any county, city or town, but all such new roads and that portion of unfinished roads now building that is hereafter completed shall be exempt from all taxation till such time as the portion thereof to be taxed shall have been completed the space of three years, so that a regular train of cars shall have passed over the same; but on and after such time when any new road or any portion thereof shall have been so far completed as that a regular train of cars shall have passed over the same, such road or that portion thereof that has been in running order for the space of three years or more shall be liable to all the provisions of this act.

SEC. 10. That Section 16 of chapter 173 of the laws of the Ninth General Assembly of the State of Iowa, and all other laws, so far as they may conflict with the provisions of this act, be and the same are hereby repealed.

SEC. 11. This act, being deemed, by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the——— and the——— newspapers printed in Des Moines, Iowa.

On motion of Mr. Irish, the further consideration of House File No. 264, 8, and 117, was made the special order for Tuesday, March 15th, at two o'clock p. m.

Leave of absence was granted Messrs. Miles of Wayne, Bundy, Norris, Hirschler, and the chief clerk.

Leave was granted Mr. Lacey to present the claim of B. W. Johnson against the State of \$475.20, for boarding and lodging enlisted men of the forty-seventh Iowa Infantry Volunteers.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

Senate File No. 50, A bill for an act to amend chapter 144 of the acts of the Twelfth General Assembly in relation to protection of crops against the invasion of stock.

A joint resolution relative to the initial point of the U. P. R. R.

G. S. TOLIVER, *Chairman.*

On motion of Mr. Stutsman, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 11, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. M. Geiger.

Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has ordered printed the usual number of copies of the report of the Joint Committee appointed to visit the Deaf and Dumb Asylum at Iowa City.

JAMES M. WEART, *Secretary.*

#### PETITIONS.

Mr. Snow presented a petition from citizens of Poweshiek county, asking that the salaries of supreme, district, and circuit court judges be increased. Referred to Committee on County and Township Organizations.

Mr. Parsons presented a petition from citizens of Webster county, asking for the passage of a law for the protection of fish. Referred to the Special Committee on Fish.

On motion of Mr. Parsons, Messrs. Kasson and Noel were added to the Special Committee on Fish.

Mr. Ketcham presented a petition from W. Boland and other citizens that the property of railroad companies be taxed the same as other property. Referred to Committee on Railroads.

Mr. Wright of Sac presented a petition from Michael Collier and other citizens of Webster county, asking that there be no hostile legislation against the Des Moines Valley Railroad. Referred to Committee on Judiciary.

Mr. Parson presented a petition from certain citizens of Webster county, asking the Legislature to resume the lands granted to the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Day presented a remonstrance of Wm. H. Shea, of Palo Alto county, and six hundred and twenty citizens of the upper Des Moines Valley against the resumption of any lands of the Des Moines Valley Railroad Company. Referred to Committee on Judiciary.

Mr. Wilson from the Committee on Agriculture, presented sundry petitions in relation to fish. Referred to Special Committee on Fish.

Mr. Arnold presented a remonstrance from the physicians of Marshall county against the Medical Department of the State University. Referred to Committee on Medical Institutions.

Mr. Miracle presented a remonstrance of H. M. Rawson and other citizens of Webster county against hostile legislation to the Des Moines Valley Railroad Company, and praying that not a single acre of land be taken from said company. Referred to Committee on Judiciary.

Leave was granted Mr. Day to record his vote "No" on House File No. 186.

#### REPORTS OF COMMITTEES.

Mr. Harper from the Committee on Schools submitted the following report:

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 212, A bill for an act to amend section 711, chapter 45, Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred resolution instructing committee to inquire what additional legislation, if any, is needed in order that poor children, and especially the inmates of county poor houses and other charitable institutions, shall receive proper facilities for education, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that in

the opinion of your committee no further legislation is necessary at this time.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was recommended House File No. 45, A bill for an act to empower school boards to purchase school-house sites, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the accompanying substitute with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred Senate File No. 51, A bill for an act to amend section 4, chapter 98, of the Laws of the Twelfth General Assembly in relation to school orders, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred petition of Dedrick Brandmyre and others, asking that the west half of sections 5 and 8, townships 70, range 2 west, in independent district 10, Burlington township, be annexed to subdistrict No. 9, district township of Burlington, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that prayer of petitioners be not granted.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred petition of H. W. Starr, and others asking that the east half of sections one, twelve and thirteen and the N. E. quarter of section 24, Township Seventy, range three west, in District Township of Flint River, be annexed to Sub-District, No. 9 in District Township of Burlington, beg to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the prayer of the petitioners be not granted.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 258, A bill for an act to attach certain lands in Main township, Linn county, for school purposes, beg leave to report that they have had the same under consideration and have instructed me

to report the same back to the House with the recommendation that it do pass, with the following amendment to publication clause, to-wit provided it be without expense to the State.

HARPER, *Chairman*.

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 250, A bill for an act to legalize the levy of school tax of the district township of Toledo and the Independent District of Toledo, in the county of Tama, for the year 1869, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendment to section 2 to-wit; provided that such publication be without expense to the State.

HARPER, *Chairman*.

MR. SPEAKER—Your Committee on Schools to whom was referred Petition of Jeptha Cowgill and others, asking for an act to organize an Independent School District in Graham Township, Johnson county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the prayer of the petitioners be not granted.

HARPER, *Chairman*.

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 218, A bill for an act to annex certain lands to the Independent School District of Strawberry Point, for school purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

HARPER, *Chairman*.

Mr. Rowell from the Committee on Judiciary submitted the following reports.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 128, A bill for an act to abolish the general term court and amend chapter 86, Acts of Twelfth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass, with the following amendments: Strike out the words "except as herein otherwise provided," in the first line of section 2, and strike out all of section 3 of said bill.

N. W. ROWELL, *Chairman*.

Mr. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 249, A bill for an act to vacate town plat of East Dyersville, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed, as the Law of 1862, chapter 78, provides for such cases.

N. W. ROWELL, *Chairman.*

Mr. SPEAKER—Your committee on Judiciary, to whom was referred House File No. 247, A bill for an act to amend sections 3293 and 3332, Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

Mr. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 198, A bill for an act to amend section 8, chapter 49, Laws of Ninth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Mr. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 152, A bill for an act to confer certain powers upon the Judges of the Circuit Court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Mr. Cutts, from the Committee on Railroads, submitted the following report:

Mr. SPEAKER—Your Committee on Railroads, to whom was referred Senate File No. 74, A bill for an act to amend Article 3 of chapter 55, of the Revision of 1860, granting right of way to railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be passed.

M. E. CUTTS, *Chairman.*

Mr. SPEAKER—Your Committee on Railroads to whom was referred House File No. 78, A bill for an act to make railroad companies liable for stock killed or injured, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the House with the recommendation that it be not passed.

M. E. CUTTS, *Chairman*.

Mr. Miracle from the Committee on Incorporations, submitted the following report:

MR. SPEAKER—Your Committee on Incorporations to whom was referred House File No. 248, A bill for an act authorizing incorporated cities and towns to relinquish their interest in public squares and other public dedications under their control, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows:

After the word "corporation" in the fifth line of section 2, insert the following words: "together with the written consent or quit-claim of the original dedicator or his heirs, or act of Congress or other legislative body representing the original dedicator."

And when so amended your committee further recommend that the same do pass.

J. D. MIRACLE, *Chairman*.

MR. SPEAKER—Your Committee on Incorporations to whom was referred Senate File No. 93, A bill for an act authorizing cities and towns to punish for the violation of ordinances and by-laws, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

J. D. MIRACLE, *Chairman*.

MR. SPEAKER—Your Committee on Incorporations to whom was referred Senate File No. 36, A bill for an act to authorize the improvement of streets and alleys, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, the committee being of the opinion that its substance is contained in House File No. 133, which we have reported as a substitute.

J. D. MIRACLE, *Chairman*.

MR. SPEAKER—Your Committee on Incorporations to whom was referred House File No. 133, A bill for an act to promote the improvement of streets and sidewalks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be amended as follows: After the figures 1860 in the 5th line of section 1, insert "and the acts amendatory thereto." In section 1 strike out the



words "for the paving, grading, macademizing of any street, lane, avenue or alley, or any part of the same" in 9th, 10th, 11th, and 12th lines thereof. Add to the end of section 3 the following words: "The city council or trustees of any incorporated city or town acting under the provision of this act, may, if they deem best, cause to be certified to the clerk of the board of supervisors all special assessments levied under the provisions of this act; and that when so certified said special assessments shall be collected and accounted for in all respects the same as is provided by section 3, chapter 25, of the acts of the Tenth General Assembly." And when so amended your Committee further recommend that the same do pass as a substitute for "Substitute for Senate File No. 36."

J. D. MIRACLE, *Chairman.*

Mr. Rowell from the Committee on Judiciary submitted the following majority report on House File No. 147, which was ordered printed:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company and to provide for the sale of the same, beg leave to report that they have had the same under consideration and having heard the same fully discussed by the friends and opponents of the bill both as to questions of law and facts, a majority of the committee have instructed me to report the same back to the House with the recommendation that it do not pass.

We of the majority believe it is due to the House and to ourselves that we give some reasons for the report we have thus made. A majority of your committee are of the opinion that the Des Moines Valley Railroad Company, have in no way failed to comply with and perform the condition contained in the law of March 31st, 1868, referred to in this bill.

1st. We find that the said R. R. Co., in accordance with the provisions of said act of March 31st, 1868, did pay to the State of Iowa on the 27th day of September, 1868, the sum of \$160,000, being all the claims referred to in said act of March 31st, 1868, and being all of the debt chargeable to the 462,000 acres of land then unpatented by the State to said company. That the Governor executed to the said R. R. Co., a conveyance for all the lands referred to in said act except the one hundred thousand acres reserved for the construction of the Des Moines Valley R. R. above the city of Des Moines. That said R. R. Co. have graded more than the number of miles of road up and along the valley of the Des Moines river than they were required to grade up to this time, and not only graded but completed seventy-five miles of road above the city of Des Moines.

2nd. The act of March 1869, gave the said railroad company until January 1st, 1870, to build their road to the city of Fort Dodge, and as ten months yet intervene between this and the time given, we cannot presume anything against the company, nor can we presume that the railroad company will not comply with that "condition precedent."

3d. As to a construction of the words "up and along the valley of the Des Moines river," we have been unable to find a case where the word *valley* has been judicially defined or determined. But would represent that the words "the valley of the Des Moines" has had two legislative and one executive construction.

*First.*—Then keep in mind that all the laws, both congressional and legislative, have and use the words "valley of the Des Moines." The act of the legislature of 1864, required this company to construct this road from Eddyville, which is situated on the bank of the Des Moines, up the Muchakinock Creek to a point near the city of Oskloassa, and from thence to the city of Des Moines; and in the same act declares it to be "up and along the valley of the Des Moines," when, in fact, they are compelled to build away from the banks of the river and outside of the bluffs that border the river, and do not strike the river again until the road reaches the city of Des Moines.

*Second.*—While the act of March 31st, 1868, was pending in the Senate, an amendment was proposed to the bill requiring the railroad company to construct their road within the land grant, which is five miles on either side of the river. Said proposed amendment was voted down, thereby construing that the valley of the Des Moines was not confined within the five miles on either side of the river. Again it was shown that at the time of the passage of the act of March 31, 1868, said company were in the act of building their road westward from the city of Des Moines along the bank of Coon river.

The executive construction was in executing the conveyance to the company, for the lands for the building of the railroad below the city of Des Moines at a distance of more than ten miles away from the bank of the river, when the law says "up and along the valley."

4. That the non-acceptance in writing by said railroad company of the act of March 31, 1868, did in law and was not intended to affect in any manner its acquirement of title to the lands by the building of said road. But on the contrary, said act expressly provides "that the non-acceptance by said Des Moines Valley Railroad company, of this act, shall not prevent all the foregoing provisions thereof from having the same operation and effect as if they had been accepted by said company."

5. Said act of March 31, 1868, further expressly provides that "in case of non-compliance by said railroad company with the con-

ditions to be by it performed, then without further legislation said act shall have the force and effect of an act of resumption, and all rights of said company to said lands not actually conveyed by the State to the company shall be forfeited, and revert in the State as fully as if the grant thereof had never been made by the State. Therefore, even if it were true that the railroad company had failed to comply with the provision referred to and contained in said act, no act of resumption would be now required or necessary to revert the title to said lands in the State.

6. We find further, that at the time of the passage of the act of March, 1868, there were lands unpatented to the railroad company, to the amount of 462,000 acres; that there was due the State from said railroad company, and chargeable as a lien on said lands, the sum of \$160,000.00, being a sum equal to 33 $\frac{1}{2}$  cents per acre. That of this \$160,000.00 there would be and was chargeable to the 100,000 acres, proposed to be redeemed, \$34,750.00, all of which has been paid, as before stated, by the railroad company to the State. Therefore we say, as a question of law, that before the State can at any time reclaim and otherwise dispose of these lands, she must tender back to the company the \$34,750.00, that it may be recharged to this 100,000 acres; and without this the State cannot in any event resume this land.

All of which is respectfully submitted.

N. W. ROWELL, *Chairman.*

McCOUN,  
ELBERT,  
MIRACLE,  
STONE,  
HUFF,  
LACEY,

*Concurring.*

Mr. Parsons, from the Committee on Judiciary, submitted the following minority report on House File No. 147, which was ordered printed:

MR. SPEAKER—The undersigned, members of your Committee on Judiciary to whom was referred House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same, beg leave to submit the following report:

That on the 8th day of August, 1846, the United States, by act of Congress, granted to the territory of Iowa, for the purpose of aiding said territory to improve the navigation of the Des Moines river from its mouth to the Raccoon Fork thereof, an equal moiety in alternate

sections of the public lands remaining unsold, and not otherwise disposed of, incumbered, or appropriated, in a strip, five miles in width on each side of said river; that on the 9th day of January, 1847, the State of Iowa, by a joint resolution of the Legislature thereof, accepted said grant for the purposes specified in said act of Congress; that there was afterwards certified to said State by the Secretaries of the Treasury and of the Interior, prior to, and upon the 30th day of December, 1853, 593,964.42 acres of land, of which 271,572.24 acres were situated above the Raccoon Fork; prior to that time there was a conflict of opinion among the Officers of the Federal Government as to the construction of said grant; and after the 30th of December, 1853, the Secretary of the Interior refused to certify lands lying above the Raccoon Fork. On the 9th day of June, 1854, the State of Iowa entered into a contract with the Des Moines Navigation and Railroad Company, by which said company agreed to make and finish the Des Moines river improvement from the Mississippi river to the Raccoon Fork of the Des Moines river in consideration of which the State agreed to sell and convey to said company all of the lands donated to the State of Iowa for the improvement of said river; said company further agreed that it would at its own expense, in consideration of the conveyance of said lands, in eight years from the date of said contract, or by the 9th day of June, 1862, improve the said river so as to render it navigable for boats of at least two hundred and fifty tons burden, to Fort Dodge or to such other point above Des Moines as might be found practicable.

Certain differences having arisen between the State and said company, the State by joint resolution of the General Assembly, on the 22d day of March, 1858, proposed to said company terms of settlement, by which the lands then certified under said grant, and which had not been otherwise disposed of by the State, should be conveyed to said company, and in case Congress should permit a diversion of the remainder of the lands then claimed by the State as included in said grant, or the title thereto should become vested in the State so as to become subject to grant, the same should, after the payment of certain liabilities mentioned in said resolution, be granted to the Keokuk, Fort Des Moines and Minnesota Railroad Company, to aid in the construction of a railroad up and along the valley of the Des Moines river, upon such terms and in such manner as the General Assembly should hereafter provide. It was further provided that one-fourth of said lands should be applied to the construction of said railroad above the city of Des Moines. On the 15th day of April, 1858, the Des Moines Navigation and Railroad Company accepted the terms of settlement proposed by said joint resolution.

On the same day—March 22d, 1858—and in pursuance of said proposition for settlement, the legislature granted the remainder of said lands to the Keokuk, Fort Des Moines, and Minnesota Railroad Company, to aid in the construction of a railroad from the city of

Keokuk, at the mouth of the Des Moines river, and up along the valley of said river, by way of the City of Des Moines, to the northern line of the State, in the direction of the southern bend of the Minnesota or St. Peter's river; said grant to become operative as soon as Congress should assent to or permit a diversion of said lands or the title thereto should become vested in the State so as to be subject to grant. It was provided by said act that said railroad should be constructed in a continuous line above the town of Bentonsport up the valley of said river, and one-fourth of said lands was reserved for the construction of said road from the city of Des Moines up the valley of said river; and the whole of said road was to be completed to the northern line of the State on or before the first day of December, 1868, and in case of failure, it was further provided that it should be competent for the State to resume the lands then uncertified to said company, or in case said company should fail to have completed and equipped seventy-five miles of road up the valley of the Des Moines river above Bentonsport within three years from the first day of December, 1858, and thirty-three miles each year for four years thereafter.

Said company accepted said grant and agreed to perform the conditions thereof.

Said company failed to perform the conditions of said grant, and said land became liable to resumption. On the 28th day of March, 1864, the General Assembly passed an act by which, among other things, it was provided that one-fourth of said lands should be applied to the construction of said railroad from the City of Des Moines to Fort Dodge. Said Company assented to and accepted the provisions of said act, January 23d, 1866. On the 12th day of July, 1862 Congress passed an act extending the grant for the improvement of the navigation of the Des Moines river, so as to include the odd sections lying between the Raccoon Fork of said river and the northern line of the State, and within five miles upon each side of said river. It was provided by said act that said lands should be used in accordance with the original act, except that the consent of Congress was given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines and Minnesota Railroad Company, in accordance with the provisions of the act of the General Assembly of Iowa, approved March 22d, 1858. There would have fallen to said company according to the claim of the State as to the extent of the original Des Moines river grant, at the time of the passage of the joint resolution and act of March 22d, 1858, upon its full performance of the conditions of the grant, 298,214.60 acres of land. At its December term of 1859, the Supreme Court of the United States decided that the grant of 1846 did not extend above the Raccoon Fork. In April, 1863, there was certified by the department of the interior, as inuring to the State under the act of Congress of May 15th, 1856, 166,498.16 acres of land, which had

been previously certified according to the construction at that time given by the federal officers under the grant of 1846. On the 21st of May, 1866, an adjustment was made between the State and the general government by which other lands were certified under the act of July 12, 1862, in lieu of these lands, the title to which was time supposed to have failed.

The company having failed to perform the conditions of the grant, and the said lands having become subject to resumption, the General Assembly on the 31st of March, 1868, passed an act declaring the terms and conditions upon which it would relinquish the right of resumption to said company, and providing for the conveyance to said company of all of the lands which it would have been entitled to receive upon the completion of the road to the city of Des Moines, and the payment of the liabilities growing out of the improvement of the navigation of the Des Moines river, the payment of which it had assumed. Under this act said company was entitled to receive all but 100,000 acres of the land granted to it, upon the payment of said claims. Said claims were discharged, and the Governor has issued to the company patents for 362,997.68 acres of land.

By a settlement made by the State with said company on the 20th day of June, 1866, it was credited upon the claims, the payment of which it had assumed, an amount equal to 35,473.54 acres, which had been retained by the general government on account of the excess of the selections made by the State under the 500,000 acre grant, making an aggregate chargeable to said company, and what it has already received, of 397,471.22 acres, or 100,256.62 acres more than it would have been entitled to receive upon the completion of the road to the northern line of the State, according to the construction given to the grant of 1846, at the time of the grant by the State to said company. It is further provided by the act of March 31st, 1868, that 100,000 acres of said land "shall be held and applied exclusively for the construction of said railroad above Des Moines, as now provided by law, and shall be conveyed and patented to said railroad company" only upon completion of said railroad into the town of Fort Dodge, situated upon the east side of the Des Moines river, within the year 1866, "which said company agrees to do," and that seventy-five miles of said railroad from its then terminus should be graded during the years 1868 and 1869.

It was at that time provided by law that said railroad should be constructed up and along the valley of the Des Moines river to the northern line of the State in the direction of the southern branch of the Minnesota river, which point is about eleven miles east of the town of Fort Dodge; said company has constructed exceeding sixty five miles of road, but said road leaves the valley of the Des Moines river at the city of Des Moines, and is at the average distance of fourteen or fifteen miles from said river, and is not at any

point within the limits of the land grant. Said act further requires said company to accept the same within thirty days after its approval, which said company has not done.

Prior to 1866 the lands certified by the general government as falling to the State under the grant of 1846, above the forks of said river, were upon and along the east branch thereof.

The undersigned are of the opinion that it is the duty of the State, as the trustee of the general government, and in justice to those who have settled along the valley of the Des Moines, in reliance upon its good faith in the application of this grant to the construction of a road up and along that valley in accordance with the letter and the spirit of the law, at the time of such settlement, and ever since, to resume said grant. We recommend that the bill do pass.

GALUSHA PARSONS,  
WM. MILLS,  
FRED O'DONNELL,  
H. O. PRATT.

#### INTRODUCTION OF BILLS.

Mr. Dunne introduced House File No. 265, A bill for an act relative to township collectors. Referred to Committee on County and Township Organization.

Mr. Kasson introduced House File No. 266, A bill for an act to provide for the assessment and payment of damages arising from the construction of mill dams in certain cases. Read a first and second time and referred to Committee on Judiciary.

#### BILLS ON SECOND READING.

Leave was given Mr. Wilson to take up House File No. 250, A bill for an act to legalize the tax levy of the district township of Toledo, and independent district of Toledo, in the township of Toledo, in Tama county, for the year 1860, was taken up and considered

On motion of Mr. Wilson the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cnnts, Day, Dickerson, Dudley, Dumout, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartenbower, Hartsborn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey,

Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—90.

The nays were—none.

Absent or not voting—

Messrs. Conner, DeGroat, Faville, Gibbons, Miles of Washington, Miles of Wayne, Morrison, Norris, Rowell, and Warner—10.

So the bill passed and the title was agreed to.

#### SPECIAL ORDER.

The hour having arrived for the consideration of special order House File No. 145, A bill for on act to repeal section 4192 of the Revision of 1860 and to provide a substitute therefor.

On motion of Mr. Sater the House took up special order, House File No. 145.

Mr. Teale moved to adopt the substitute reported by the Committee.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked:

Substitute for Senate File No. 48, A bill for an act making appropriations for the Deaf and Dumb Asylum.

Senate File No. 101, A bill for an act to provide for the purchase of G. Greene's reports of the Decisions of the Supreme Court of Iowa.

Senate File No. 111, A bill for an act to amend sections 40 of the Acts of the Twelfth General Assembly, to regulate Insurance Companies.

I also return herewith the following bills, which have passed the Senate without amendment:

House File No. 235, A bill for an act to repeal an act, entitled An act to incorporate the State Bank of Iowa, and enable it to wind up its affairs.

House File No. 236, A bill for an act to repeal an act authorizing General Banking in the State of Iowa, passed March 22, 1858.

JAMES M. WEART, *Secretary.*



Leave of absence was granted Messrs. Arnold, Dunne, Warner, Mahin, Bell, and Snow.

On motion of Mr. Harrison, the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Speaker in the chair.

House resumed the consideration of House File No. 145.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 108, A bill or an act legalizing certain elections in the city of Council Bluffs, and also legalizing the acts of the officers thereat.

J. A. T. HULL,

*First Assistant Secretary.*

Leave was granted Mr. Irish to call up Senate File No. 101, A bill for an act to provide for the purchase of G. Greene's Reports of Supreme Court of Iowa, which was read a first and second time and referred to committee on Judiciary.

Mr. Rogers moved the previous question which was seconded.

On the question shall the main question be now put, it was decided in the affirmative.

On the adoption of the substitute reported by the committee, Messrs. Applegate and Brown of Van Buren, demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bonewitz, Brown of Fayette, Butterfield, Campbell, Carver, Cutts, Day, Dudley, Evans, Harrison, Haycock, Hobson, Hood, Hopkins, Hunter, Keables, Lee, Lommen, Marks, McConn, McGavren, Merritt, Miles of Washington, Miller, Morrison, Newbold, Pratt, Rohlf, Russell, Sanborn, Stewart, Stutsman, Swan, Teale, Tufts, Williams—40.

The nays were—

Messrs. Ball, Bell, Brown of Van Buren, Butterfield, Campbell, Carver, DeGroat, Dickerson, Dumont, Durham, Elbert, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Hopkirk,

Huff, Irish, Jones, Millard, Mills, Miracle, Murdock, Noel, O'Donnell, Rogers, Rosser, Rowell, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Taylor, Toliver, Traer, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker.—43.

Absent or not voting—

Messrs. Bundy, Butler, Conner, Crawford, Dunne, Faville, Harper, Hirschler, Kasson, Ketcham, Lacey, Mahin, Miles of Wayne, Norris, Parsons, Snow, Tait and Warner—17.

So the substitute was not adopted.

Upon the question shall the bill be ordered engrossed and read a third time? Messrs. Hapcock and McCoun demanded the yeas and nays, which were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Brown of Fayette, Butterfield, Campbell, Carver, Dickerson, Evans, Harrison, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hunter, Irish, Keables, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miller, Miracle, Morrison, Newbold, Pratt, Rohlf, Russell, Stanchfield, Statsman, Teale, Tufts, Williams, Wright of Sac.—38.

The nays were—

Messrs. Ball, Beatty, Bell, Brown of Van Buren, Carpenter, Christoph, Cutts, Day, DeGroat, Dudley, Dumont, Durham, Elbert, Gibbons, Green, Harrington, Hartenbower, Hopkirk, Huff, Jones, Ketcham, Lommen, Millard, Mills, Murdock, Noel, O'Donnell, Parsons, Rogers, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stewart, Stone, Swan, Taylor, Toliver, Traer, Wasson, Wilson, Wood, Wright of Allamakee, and Mr. Speaker.—46.

Absent or not voting:—

Messrs. Bundy, Butler, Conner, Crawford, Dunne, Faville, Harper, Hirschler, Kasson, Lacey, Mahin, Miles of Wayne, Norris, Snow, Tait, and Warner.—16.

So the House refused to order the bill engrossed and read a third time.

Mr. Day moved to reconsider the vote by which the House refused to order the bill to be engrossed and read a third time.

Mr. Green moved to lay the motion to reconsider on the table.

The motion prevailed.

Leave of absence was granted the Sergeant-at-arms and Messrs. Russell, Lee, Harper, Irish, Hobson, Christoph, Gibbons, Newbold, Merritt, Murdock, Green, Williams, and Wasson.

Mr. Irish moved that when this House adjourns it will be until Monday morning at 9 o'clock.

The motion prevailed.

On motion of Mr. McCoun, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 14, 1870. }

House convened pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. A. Field.

The Journal of Friday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has ordered printed the usual number of the reports of the Visiting Committee to Soldiers' Orphan's Home at Davenport.

J. A. T. HULL,  
*1st Assist. Secretary.*

Leave was granted Messrs. Mahin, Lacey, and Tait to record their votes, "Aye," on the adoption of the substitute for House File No. 145.

PETITIONS.

Mr. Noel presented a petition from Sarah A. Walsh and 259 other citizens of Dallas county, praying that the provisions of chapter 145, Laws of the Twelfth General Assembly be extended to counties and townships. Referred to Committee on Suppression of Intemperance.

Mr. Traer presented a petition from three hundred men, women, and children of Benton county, asking for a more stringent prohibitory liquor law. Referred to Committee on the Suppression of Intemperance.

Mr. Wilson presented a petition from G. R. Struth, and seven other citizens of Tama county asking that the salaries of the supreme, district, and circuit court judges be increased. Referred to Committee on Compensation of Public Officers.

Mr. Millard presented a petition from George W. Wilson, asking for the payment of a claim against the State for transportation from Osceola, Iowa, to Nashville, Tennessee, while a private in Co. D, 8th Iowa Cavalry. Referred to Committee on Claims.

Mr. Stewart presented a petition from citizens of Iowa county, requesting the passage of a law requiring shutes for the passage of fish to be placed in mill dams. Referred to Committee on Fish.

Mr. McGavren presented a petition from one hundred and three citizens of Harrison county, asking for the taxation of the property

of railroad corporations the same as other property. Referred to Committee on Railroads.

Mr. Murdock presented a memorial from A. P. Wood, in relation to military history.

On motion of Mr. Brown, of Fayette, the memorial was referred to a special committee to be appointed by the chair.

The chair appointed Messrs. Murdock, Brown of Fayette, and Brown of Van Buren.

#### REPORT OF COMMITTEES.

Mr. Morrison, from the joint committee to visit the Institution for the Blind, submitted a report which was placed on file and ordered printed.

Mr. Merritt from the Committee to visit the Orphans' Home at Davenport, submitted the following report which was placed on file.

Mr. Dudley from the Committee on Claims submitted the following report:

MR. SPEAKER—Your Committee on Claims to whom was referred House File No. 225, A bill for an act making appropriation for the relief of Geo. Wilson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

C. DUDLEY, *Chairman.*

Mr. Hartshorn, from the Committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your Committee on Police Regulations to whom was referred Senate File No. 53, a bill for an act to punish and suppress prize fighting, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

HARTSHORN, *Chairman.*

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bill and find the same correctly enrolled:

House File No. 108, A bill for an act to repeal an act to incorporate the State Bank of Iowa, and to enable it to wind up its affairs.

G. S. TOLIVER, *Chairman.*

## INTRODUCTION OF BILLS.

Mr. Stutsman introduced House File No. 267, A bill for an act to amend section 2553, of the Revision of 1860. Read a first and second time. Referred to Committee on Judiciary.

Mr. Huff introduced House File No. 268, A bill for an act to repeal section 15 of chapter 86, of the acts of the Twelfth General Assembly, and to provide additional fees and compensation for circuit court clerks. Read a first and second time and referred to Committee on Compensation of Public Officers.

Mr. Bonewitz introduced House File No. 269, A bill for an act to prevent and punish the adulteration of milk and cheese. Read a first and second time and referred to Committee on Agriculture.

Mr. McGavren introduced House File No. 270, A bill for an act to legalize the organization of the independent school district of Missouri Valley, Harrison county, Iowa. Read a first and second time, and referred to Committee on Schools.

Mr. Stewart introduced House File No. 271, A bill for an act to defray the expenses of the State Historical Society. Read a first and second time and referred to Committee on State University.

Mr. Hunter introduced House File No. 272, A bill for an act to legalize the acts of A. T. Reeve, a notary public in and for Franklin county, Iowa. Read a first and second time and referred to Committee on Judiciary.

## RESOLUTIONS.

Mr. Merritt offered the following memorial and joint resolutions which were adopted :

A memorial for the relief of Homestead Settlers :

WHEREAS: Numerous persons have made Homestead settlements, paid entry fees, and received their certificates upon lands in the State of Iowa, then held in market by the United States land office at Council Bluffs, Iowa. Subsequent to an Act of Congress, approved June 2nd, 1864, entitled, An act, making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of certain railroads in the State, approved May 15th, 1856, and have in good faith made valuable improvements on said lands and occupied the same for five years, as required by the Homestead Law; and

WHEREAS, By said Act of Congress, said Homestead lands have been granted to certain railroad companies therein named, thereby defeating the claims of said settlers.

*Therefore, be it Resolved by the General Assembly of the State of Iowa; That our Senators in Congress be instructed and our Representatives requested to use their best efforts to secure the passage of a Law of Congress granting adequate relief to such Homestead settlers.*

*Resolved*, That the Secretary of State be and is hereby instructed to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Millard, House File No. 225, was referred to Committee on Claims.

#### MESSAGES ON SPEAKER'S TABLE.

Substitute for Senate File No. 48, A bill for an act making further appropriations for the Deaf and Dumb Asylum, was taken up and considered.

On motion of Mr. Beresheim; the bill was ordered engrossed and read a third time.

On motion of Mr. Williams, the rule was suspended and the bill read a third time.

Upon the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dumont, Evans, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahon, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—75.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Bell, Bundy, Butler, Connor, Day, Dudley, Dunne, Durham, Elbert, Faville, Greene, Harper, Lee, Miles of Wayne, Murdock, Parsons, Rogers, Satterthwaite, Snow, Swan, Warner, Wasson, Wood, and Newbold.—25.

So the bill passed and the title was agreed to.

#### BILLS ON SECOND READING.

Leave was given Mr. Stone to call up House file No. 128. A bill for an act to abolish the general term court, and to amend chapter 86, acts of the Twelfth General Assembly, was taken up and considered.

On motion of Mr. Rowell, the amendments recommended by the committee were concurred in.

On motion of Mr. Rowell, the bill was ordered engrossed and read a third time.

On motion of Mr. Stone, the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dumont, Elbert, Evans, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—73.

The nays were—

Wright of Allamakee—1.

Absent or not voting—

Messrs. Arnold, Bell, Bundy, Butler, Christoph, Connor, Day, Dudley, Dunne, Durham, Faville, Gibbons, Green, Harper, Irish, Lee, McCoun, Miles of Wayne, Newbold, Parsons, Rogers, Satherthwaite, Snow, Swan, Warner, Wasson—26.

Leave was granted Mr. Merritt to call up House file No. 201, a bill for an act to legalize the acts of Ashford B. Elwood, a deputy recorder of Montgomery county, Iowa, which was taken up and considered.

On motion of Mr. Merritt, the bill was ordered engrossed and read a third time.

On motion of Mr. Merritt, the rule was suspended and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dumont, Elbert, Evans, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Noel, Norris, O'Donnell, Parsons, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—76.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Bell, Bundy, Butler, Conner, Day, Dudley, Dunne, Durham, Faville, Green, Harper, Lee, McCoun, Miles of Wayne, Murdock, Newbold, Pratt, Rogers, Satterthwaite, Snow, Swan, Warner, Wasson—24.

So the bill passed and the title was agreed to.

Leave of absence was granted Frank Swan, a messenger boy, on account of sickness.

Senate file No. 111, a bill for an act to amend section 40 of chapter 138 of the acts of the Twelfth General Assembly, to regulate insurance companies. Read a first and second time and referred to Committee on Incorporation.

Mr. Miles, of Washington, offered the following resolutions which were adopted:

WHEREAS, Intelligence has been received by this House of the death of the Hon. Abijah Conner, representative elect from the twenty-sixth district; therefore

*Resolved by the House of Representatives*, That with deep sorrow we deplore the event that has deprived this General Assembly of a wise counsellor and a noble, earnest, and talented representative.

*Resolved*, That we deeply sympathize with the widow and family of our deceased brother in their great affliction, and hope that their wounded hearts may be soothed by the consolations of Him who doeth all things well."

*Resolved*, That these resolutions be published in the *Iowa State Register*, the *Des Moines Bulletin*, the *Washington Press* and the *Washington Gazette*, and that the Secretary of State be instructed to forward a copy thereof to the widow of the deceased.

*Resolved*, That these resolutions be transmitted to the Senate.

*Resolved*, That as a token of respect to deceased this House do now adjourn.

Mr. Miles, of Washington, made the following remarks in support of the motion to adopt the resolutions:

MR. SPEAKER:—In rising to move the adoption of these resolutions, the painful duty seems to devolve on me to say a few words in relation to him to whom they refer, and to the sad event that has brought mourning to the hearts of a family, that has taken from the church one of its most gifted ministers, and has deprived this General Assembly of one who would have been one of its most able and useful members.

It has been but a few days since official intelligence was received from the Senate that one of its members had been stricken down, and we here spent a sad hour in contemplation of that dispensation of Providence which had sorrowed our hearts. Now, if possible, the Destroyer has come *nearer* to us. One of our own number has gone. Often have I been asked during the session, when I expected my colleague



here—when Mr. Conner would take his seat in this hall. At first I hoped it might be soon; but when intelligence reached me from time to time of his declining health, and when, at length, I learned directly from his physician of the true nature of the disease, which I had too much reason to fear has long been fastened upon him, I abandoned all hope of meeting him here. Now his spirit has gone to the God who gave it. All that was mortal of the good, the talented, the true man, as he was, lies low in the grave—but our loss is his eternal gain. I am not very familiar with the history of Mr. C.'s life before he came to our county about five years ago, and my personal acquaintance since that time has been somewhat limited; but his influence was known and felt all around. All who knew him could but bear testimony to the zeal and earnestness with which he engaged in every work calculated to elevate and advance the intellectual, social, and moral condition of man.

Mr. Conner was graduated at Athens College in Ohio; received his theological education at the Seminary, at Monmouth, Illinois, where he graduated in 1858 and entered the ministry. In response to a call from one of the U. P. churches in Washington, he came there in 1865 and became its pastor. He continued in charge of this until the summer of 1868, when his health having become so much impaired he felt compelled to leave his work, hoping that by a little rest he might be restored. At times during the following year strong hopes were entertained of his recovery, but the fatal disease, consumption, was doing its sure work. He spent a part of the last summer in Colorado, and, by aid of that invigorating climate, he recovered so materially, that his friends hoped he might soon resume his duties. With great unanimity he was chosen by the people of his county to represent them in this General Assembly. I expected to meet him here on the first day of its session, but about that time he began and continued rapidly to fail, until last Monday night he breathed his last. The Saviour who redeemed him, and whose gospel he had proclaimed, sent an angel down to earth and took his spirit home.

One striking point in his character was his earnestness. Whatever he believed to be right, he contended for with that kind of zeal that rarely fails to accomplish its purpose. Schools and education found in him a hearty supporter, and the Sabbath school, in particular, owes much of its late success to the efforts of this good man.

Mr. Speaker, strange to us, sometimes, are the dispensations of Providence. Very mysterious, sometimes, are the ways of Him whom we know "doeth all things well." As I cast my eyes across this Hall I see some whose wrinkled brow and grey hairs indicate that the time is not far distant when we shall no longer have the benefit of their experience, that the time is not far distant when they will no longer contend in the battle of life; and should one of them at any time be thrown on a bed of sickness

where he would terminate his long and useful life, our hearts would be sorrowed by the event, yet we would not be surprised; we would mourn his loss but would not be astonished. This would be the natural course of events. But when one so young, in the prime of life, with such bright prospects of a happy future and of accomplishing so much good in the world, as were his whose loss we deplore, and to whose memory we devote this solemn hour, we are led to look upward and say, "How mysterious are Thy ways."

Mr. Brown, of Van Buren, on seconding the motion to adopt the resolutions, made the following remarks:

Mr. SPEAKER—I rise to second the motion to adopt the resolutions just offered by my friend from Washington, and in doing so, I feel that want of preparation will prevent me from expressing in a manner satisfactory to myself, the feelings that struggle for utterance on this occasion.

It was not my good fortune to have been personally acquainted with the deceased in common with many others of the members upon this floor. I had only become familiar with the name of the Honorable Abijah Connor, of Washington, from its association with the list of members elected to this General Assembly, and from often hearing of when we might have the pleasure of making his acquaintance.

But, Mr. Speaker, it affords me great pleasure to know that he belonged to a class with whose history we are all familiar, for we knew that, although possessed of rare natural ability, to which was added the advantages of a fine education, fitting him alike for the lucrative and popular vocations of life, he chose to select for his calling that laborious and often onerous calling in which his work was to alleviate the social, moral, and religious standard of his race—to strengthen the weak, to comfort the broken-hearted, and to let the oppressed go free, and I rejoice to have the assurance that his life has been a success, and that now when he is called from his labor to his reward, the unmistakable evidence is ours of a work well done, of a life which was a success, and the effects of which will grow and blossom to his eternal glory, when perhaps the record and the memory of our labors upon this floor shall pass away.

Fellow members, I am aware that no eulogy I can pronounce can add to the solemn grandeur of a life like this or add to the imposing example of such a death. But allow me to add, that in this solemn dispensation of Providence, we are admonished that we, too, are passing away—that the edict from which there is no appeal has gone forth, that all that is mortal is doomed to dissolution—that during the brief moments which we are pleased to spend in commemoration of our departed associate, the die may be cast that calls another of our number to leave the busy cares of life and go to that country beyond the fatal river.

Let us, then, while we formally execute this tribute of public mourning, cause the brief history of our friend, to which we have just listened, to sink deeper into our hearts—to admonish us of the uncertainty of man's designs and hopes, and the blessings which crown a well spent life.

On motion of Mr. Applegate, the resolutions were unanimously adopted by a rising vote.

On motion of Mr. Irish the House adjourned until to-morrow morning at 9 o'clock.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. M. Geiger.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked.

Senate File No. 82, A bill for an act to legalize the action of the board of supervisors of Story county, Iowa, in relation to the issuance of bonds to the amount of 7,000.00 for the purpose of purchasing land for a "poor farm" for the use of said county and the erection of buildings thereon.

Senate File No. 65, A bill to legalize the plat of the town of Auburn, in Fayette county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now specified in said plat.

Senate File No. 126, A bill for an act authorizing the conveying of certain property in Iowa City, by Register of State Land Office.

I am also directed to return herewith House File No. 214, A bill for an act to legalize the election of corporation officers in the town of Le Clair, county of Scott, and State of Iowa, on the 1st Monday of March, 1869, and Joint Resolution, relating to the civil contest in the Island of Cuba. The same having passed the Senate without amendment.

J. A. T. HULL, *First Asst. Secretary.*

Mr. Brown of Van Buren presented a petition of Stanford Doud and others of Van Buren county, remonstrating against any legislation that will repeal the act creating two voting precincts in Village township.

Mr. Merritt of Montgomery, presented the petition of Wm. Waddell and others of Atlantic, Cass County, asking the establishment of a Normal School at that place.

Referred to Committee on Schools.

Mr. Hopkins of Boone presented the petition of A. J. Roberts and others of Boone county, praying for the passage of a law requiring shutes for the passage of fish, to be placed in all mill-dams now or hereafter to be constructed across any streams of the State.

Referred to Special Committee on Fish.

#### REPORTS OF COMMITTEES.

Mr. Rowell from the Committee on Judiciary submitted the following reports.

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 256, A bill for an act to enable Justices of the Peace to procure Conklin's Iowa Justice, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 222, A bill for an act to tax lands which are owned by counties within the limits of other counties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 263, A bill for an act to amend Section 3294, Revision 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 208, A bill for an act to legalize certain lands sales made in Polk county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 261, A bill for an act to amend Section 3353, Revision 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 101, A bill for an act to provide for the purchase of Greene's Reports, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 211, A bill for an act to legalize the acts of the Board of Supervisors of Grundy county, Iowa, in relation to roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 146, A bill for an act to legalize the proceedings of the Board of Supervisors of Marshall county, in regard to roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 31, A bill for an act to repeal section 4227, Revision of 1860, and to provide a substitute, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 266, A bill for an act to provide the assessment and payment of damages arising from the construction of mill dams, beg leave to report that they have had the same

under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 284, A bill for an act to amend section 3307, Revision of 1860, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 205, A bill for an act to legalize the acts of Ira E. Draper, a Notary Public of Jasper County, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 262, A bill for an act to legalize the acknowledgment of deeds and the records of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass with certain amendments. Erase the words "or in" in the eighth line and insert the words "and all dues and conveyances," and in the ninth line insert the words "hereafter be executed and in accordance with the law of the State when executed."

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 120. A bill for an act to legalize the acts of Daniel Conrod, Notary Public, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 194, A bill for an act to amend section 4235, Revision of 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Mr. Tufts from the Committee on the Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your Committee on the Suppression of Intemperance, to whom was referred House File No. 165, A bill for an act to regulate the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

TUFTS, *Chairman.*

Mr. Toliver, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER—Your Committee on County and Township Organization, to whom was referred House File No. 217, A bill for an act to amend chapter 105, of the Laws of the Twelfth General Assembly, in relation to compensation of members of the Board of Supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

G. S. TOLIVER, *Chairman.*

Mr. Marks, from the Committee on Public Lands, submitted the following report:

MR. SPEAKER—Your Committee on Public Lands, to whom was referred House File No. 17, A bill for an act authorizing the resurvey of lands in certain cases and prescribing rules, duties, and powers of county surveyors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section five thereof and inserting the following:

SEC. 5. Where the exterior corners of sections have been found or restored as above, the exterior corners of legal subdivisions of sections not fractional, shall be placed equi-distant from and on a right line between the quarter-section and section corners. *The center corners* of all sections, (except sections made fractional by a lake or river) shall be ascertained by running straight lines from the established quarter section corners to the opposite corresponding quarter-section corners, and the point of intersection of the lines so run shall be the center of the section. *The center corners of all quarter-sections* shall be established in the same manner as the center corners of sections would be under the same circumstances.

And that the bill so amended do pass.

C. B. MARKS, *Chairman.*

Mr. Traer, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred Senate File No. 63, A bill for an act fixing the rates of interest on Loans of the Permanent School Fund, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

TRAER, *Chairman.*

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred Senate File No. 140, A bill for an act to amend section 3275, as to the duties of certain Freemasons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

House File No. 108, A bill for an act legalizing certain elections in the city of Council Bluffs, and also legalizing the acts of officers elected thereat.

G. S. TOLIVER, *Chairman.*

On motion of Mr. Hartshorn, Senate File No. 166, A bill for an act to enable Forest City township, Howard county, to hold a special election for the election of township officers, was taken up and considered.

On motion of Mr. Hartshorn the rule was suspended, the bill considered engrossed and read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dumont, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Keables, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stuts-



man, Swan, Tait, Taylor, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—71.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Bell, Beresheim, Bundy, Butler, Connor, De Groat, Dudley, Dunne, Durham, Faville, Gibbons, Hirschler, Huff, Irish, Kasson, Ketcham, Lee, McCoun, Merritt, Miles of Wayne, Morrison, O'Donnell, Parsons, Rogers, Snow, Stone, Teale, and Warner.—29.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

Mr. Crawford introduced House File No. 273, A bill for act to amend section 14 of chapter 86, of the Acts of the Twelfth General Assembly. Read a first and second time and referred to Committee on Judiciary.

Mr. Brown, of Fayette, introduced House File No. 274, A bill for an act to amend chapter 123, Laws of the Eleventh General Assembly, relating to the grey uniform furnished to certain members of the 2nd and 3rd Iowa Infantry. Read first and second time.

On motion of Mr. Morrison the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dumont, Evans, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—78.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Beresheim, Bundy, Butler, Connor, DeGroat, Dudley, Dunne, Durham, Elbert, Faville, Gibbons, Green, Hobson, Irish, Lee, McCoun, Miles of Wayne, Parsons, Rogers, Snow, and Warner.—22.

Mr. Noel introduced House File No. 275, A bill for an act to amend section 720 of chapter 45 Revision of 1860.

Read first and second time and referred to Committee on Ways and Means.

Leave was granted Mr. Jones to present a petition from citizens of Polk county, asking that the time for the enforcement of the law restraining sheep and swine from running at large from the eighth day of June to the first day of April.

Referred to Committee on Agriculture.

Mr. Hood introduced House File No. 276, A bill for an act to legalize the acts of Fredrick Rector, formerly County Judge of Fremont county, Iowa.

Read a first and second time and referred to Committee on Judiciary.

Mr. Ketcham introduced House File No. 277, A bill for an act to permanently locate the State Reform School for Juvenile Offenders at or near Marengo, Iowa County, Iowa.

Read a first and second time and referred to Committee on Schools.

Mr. Brown of Fayette, from the Committee to visit the Penitentiary, and investigate charges against Martin Heisey, Warden, submitted the following report.

MR. SPEAKER—The Joint Committee of the Senate and House of Representatives appointed to investigate certain charges against Martin Heisey, Warden of the Penitentiary, would respectfully submit the following report.

At 8 o'clock, A. M., February 28th, 1870, your committee met at the court-house, in Fort Madison, Iowa, and proceeded to the investigation of the following charges to-wit:

1. Letting contract for the construction of sewer for penitentiary in 1866 to his son, J. W. Heisey, at that time clerk of penitentiary, in name of W. W. Hopkins.
2. Charging pork lost in the fire of May 1868 to the State of Iowa, after the same had been burned.
3. Use of profane language to and in the presence of prisoners.
4. Intemperance.
5. Purchasing goods for prison use at private value and at higher prices than such goods were offered in bids for contracts.
6. Taking prison stores for private use.
7. Using public funds to purchase furniture for warden's residence.
8. Fraud in purchase of stone for cell-room.
9. Engaging in other business.
10. Neglect of duty.
11. Taking false vouchers.
- 12th. Using convict labor for private purposes.
- 13th. Defrauding the State in the sale of pork.

The prosecution was conducted by Col. S. S. Curtis and L. B. Maltby, and the defense by J. Van Valkenburg.

After a careful and patient investigation, extending through a period of eight days we find as follows:

1st charge.—Not sustained.

2nd charge.—The evidence shows that in Nov. 1867, Martin Heisey put 28bbbls. of superior pork of his own packing into the prison cellar for the use of the State; that the convicts were fed on the same from that date, and that the price, \$25 per bbl. was not unreasonable.

3rd, 4th, 5th, and 6th charges not sustained.

7th charge. As this matter had been previously examined by an officer of the State, and reported to the Governor as judiciously expended, we did not particularly inquire into the items.

The evidence shows that the census board had directed the expenditure, and under that direction Mr. Heisey acted in good faith; and we believe that the census board made the direction with the full belief that they were acting in accordance with right and justice.

8th charge. Not sustained.

9th charge. The testimony shows that during his administration ten hours had been devoted to the purchase of hogs for his own benefit.

10th charge. Aside from the showing on 9th charge, not sustained.

11th, 12th, and 13th charges. Not sustained.

And your committee deem it but simple justice to Mr. Heisey to add that they are fully persuaded that his faithful, efficient, and untiring devotion to his official duties has but few parallels.

The testimony taken by your committee, comprising about three hundred pages is herewith submitted.

AARON BROWN,  
SAMUEL MURDOCK,  
JAMES D. WRIGHT.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 126, A bill for an act authorising the conveying of certain lots in Iowa City by the Register of State Land Office. Read first and second time and referred to Committee on Public Lands.

Senate Bill No. 89, A bill for an act to legalize the survey and town plat of Auburn, Fayette county, Iowa. Read first and second time.

On motion of Mr. Brown, of Fayette, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—76.

The nays were—

None.

Absent and not voting—

Messrs. Arnold, Bundy, Butler, Conner, DeGroat, Hartshorn, Kasson, McCoun, Miles of Washington, Miles of Wayne, Parsons, Rogers, Rowell, Snow, and Warner.—24.

So the bill passed and the title was agreed to.

Senate File No. 82, A bill for an act to legalize the action of the board of supervisors of Story county, Iowa, in relation to the issuance of bonds to the amount of \$7,000.00, for the purpose of purchasing land for a "poor farm" for the use of said county, and the erection of buildings thereon. Read first and second time.

On motion of Mr. Irish, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dumont, Elbert, Green, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Rosser, Rowell, Russell, Sanborn, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—72.

The nays were—

Messrs. Butterfield, Harper, Haycock, Morrison, Sater, Satterthwaite.—6.

Absent or not voting—

Messrs. Arnold, Beresheim, Bundy, Butler, Conner, DeGroat, Dudley, Dunne, Durham, Evans, Faville, Gibbons, Lee, McCoun, Miles

of Wayne, Parsons, Pratt, Rogers, Rohlf, Snow, Spencer, Stanchfield—22.

So the bill passed and the title was agreed to.

#### SPECIAL ORDER.

The hour fixed for the special order, House File No. 264, A bill for an act for the taxation of railroad property, having arrived, the House proceeded to the consideration of the same, the question being upon the amendment moved by Mr. Irish.

On motion of Mr. Stanchfield the further consideration of the question was made the Special order for Thursday the 17, instant.

Mr. Harper moved that the use of the Hall be tendered to the State Superintendent on the evening of the 16th, instant for the purpose of delivering a lecture on the school law now pending before the General Assembly.

The motion prevailed.

Mr. Harper moved that the use of the Hall be tendered to the State Educational Convention on the evenings of the 17th, and 18th, instants.

The motion prevailed.

Mr. Beatty moved that the House do now adjourn.

The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 16, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. W. W. Merritt.

The Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Noel presented petition of O. D. Smalley and others of Dallas county, against any legislation adverse to D. V. R. R.

Placed on file.

Mr. Toliver presented the remonstrance of A. M. Brinckerhoff and others of Webster county, against legislation hostile to the Des Moines Valley Railroad Company.

Placed on file.

Leave of absence was granted to Mr. Christoph.

## REPORTS OF COMMITTEES.

Mr. Stutsman, from the Select Committee, appointed to confer with Hon. Henry O'Connor, submitted the following report :

Mr. SPEAKER—The Committee appointed to invite Hon. Henry O'Connor to lecture before this General Assembly ask leave to report that he has accepted the invitation and will lecture on the evening of the 24th instant, at half-past 7 o'clock, in this Hall.

A. H. STUTSMAN,  
JAMES DUNNE,  
W. K. WOOD,  
*Committee.*

Mr. Toliver, from the Committee on County and Township Organizations, presented the following report :

Mr. SPEAKER—Your Committee on County and Township Organization to whom was referred House File No. 156, A bill for an act to improve the tax system of this State and to avoid errors in the assessment of taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

Your Committee further report that John G. Weeks, who holds the copyright on the Weeks' Tax System, agrees to negotiate the terms of sale for said copyright with the respective counties.

G. S. TOLIVER, *Chairman.*

Leave was granted Mr. Kasson to call up House File No. 156, A bill for an act to improve the tax system of this State and to avoid errors in assessments of taxes.

Mr. Kasson moved that the bill be engrossed and read a third time.

The motion prevailed.

Mr. Spencer moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Campbell, DeGroat, Dickerson, Day, Elbert, Gibbons, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Marks, McConn, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills

Miracle, Murdock, Newbold, Norris, O'Donnell, Pratt, Rosser, Rowell, Sater, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Toliver, Williams, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker.—59.

The nays were—

Messrs. Beatty, Butterfield, Carpenter, Crawford, Dumont, Evans, Green, Harrington, Harrison, Huff, Mahin, Morrison, Noel, Rohlf, Sanborn, Satterthwaite, Taylor, Teale, Traer, Tufts, Wasson, Wilson.—22.

Absent or not voting—

Messrs. Beresheim, Bundy, Butler, Carver, Christoph, Conner, Cutts, Dudley, Dunne, Durham, Faville, Lee, Miles of Wayne, Parsons, Rogers, Russell, Stone, Snow, Warner—19.

So the bill passed and the title was agreed to.

Mr Russell moved to take up the substitute for Senate File No. 12, and House File No. 38, A bill for an act for the sale of real estate for taxes.

The motion prevailed.

The hour having arrived for the consideration of the special order House File No. 117, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same.

Mr. Miracle moved that the consideration of the special order be postponed until Friday, March 18, at 10 o'clock a. m.

The motion prevailed.

The House resumed the consideration of the substitute for Senate File No. 12, and House File No. 38.

Mr. Cutts moved to amend by striking out the words "for 60 days from the date of the first publication of the notice aforesaid," in the 6th and 7th lines of the first section and insert the words, "until the first Monday in October A. D., 1870." And also strike out of the first and second lines of section 2, the following words, "upon the expiration of the sixty days mentioned in the preceding section of this act," and insert the following, "at the next annual sale for delinquent taxes succeeding the publication of the notice provided for in section one of this act."

The motion prevailed.

Mr. Dudley moved that the bill be engrossed for a third reading.

The motion prevailed.

Mr. Dudley moved to suspend the rule and read the bill a third time now. The motion prevailed and the bill was read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows ;

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat,

Dickerson, Dudley, Dumont, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—81.

The nays were—

Messrs. Elbert, Spencer, Stewart—3.

Absent or not voting—

Messrs. Arnold, Christoph, Conner Dunne, Durham, Faville, Hirschler, Lee, Morrison, Parsons, Rogers, Snow, Stone, Warner—13.

So the bill passed and the title was agreed to.

Mr. Russell moved to lay House File No. 38 on the table.

The motion prevailed.

Mr. Rowell moved that House File No. 17 be made a special order for Tuesday March 22d, at 10 o'clock a. m.

The motion prevailed.

Mr. Toliver, from the Committee on Enrolled Bills presented the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the bills and find the same correctly enrolled:

House File No. 236, A bill for an act to repeal an act authorizing general banking in the State of Iowa, passed March 22d 1858.

Substitute for House File No. No's. 3 and 18, A bill for an act to restrain stock from running at large.

G. S. TOLIVER, *Chairman.*

Mr. Hunter from the Committee on Compensation of Public Officers presented the following reports:

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred the petition of Wm. Homer, Treasurer of Des Moines county, praying for an increase in the compensation of county treasurers, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying bill with the recommendation that it pass.

J. D. HUNTER, *Chairman.*

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred House File No. 268, A bill for



an act, &c., to repeal section 15 of chapter 86, of the Acts of the Twelfth General Assembly, and to provide additional fees and compensation for Circuit Clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass, for the reason that, in the opinion of your Committee the compensation as now provided by law is sufficient.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred House File No. 13, A bill for an act to amend section 3, chapter 173, of the Acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it be indefinitely postponed.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation to Public Officers, to whom was referred House File No. 241, A bill for an act to amend section 9, chapter 137, of the Acts of the Twelfth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do not pass.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred House File No. 138, A bill for an act to increase the salaries of the Supreme, District, and Circuit Courts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following substitute with the recommendation that it be passed.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred House File No. 167, A bill for an

act to amend chapter 45, of the Revision of 1860, and to increase the compensation of township assessors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following substitute, with the recommendation that it pass.

J. D. HUNTER, *Chairman*.

Mr. Lacey from the Committee to visit the Soldiers' Orphans' Home at Glenwood, presented the report of said Committee, which was ordered printed.

Mr. Wilson from the Committee on Agriculture presented the following reports.

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 269, A bill for an act to prevent and punish the adulteration of milk and cheese, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 242, A bill for an act to protect purchasers of Patent Rights and for other purposes beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it do pass.

JAMES WILSON, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Wright of Sac introduced House File No. 278, A bill for an act to legalize the sale of the indemnity swamp lands of Ida county, Iowa.

Read a first and second time and referred to Committee on Public Lands.

Mr. Harrington introduced House File No. 279, A bill for an act to amend section 1529 of the Revision of 1860.

Read a first and second time and referred to Committee on Agriculture.

Mr. Teale introduced House File No. 280, A bill for an act to legalize the acts of the mayor and other officers of the incorporated town of Leon. Read first and second time.

Mr. Teale moved that the bill be engrossed and read a third time. The motion prevailed.

Mr. Teale moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Elbert, Evans, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—82.

The nays were—

Messrs. Crawford and DeGroat—2.

Absent or not voting—

Messrs. Arnold, Butler, Christoph, Day, Dunne, Durham, Faville, Green, Jones, Lee, Miles of Wayne, Parsons, Rogers, Snow, and Stone—15.

So the bill passed, and the title was agreed to.

Mr. Kasson asked leave to introduce a memorial from S. F. Spofford, being a claim for military supplies. Referred to Committee on Military Affairs.

Mr. Pratt introduced House File No. 281, A bill for an act to define the right of persons to examine public records. Read a first and second time and referred to Committee on Judiciary.

Mr. Marks introduced House File No. 282, A bill for an act to amend section 4 of chapter 171, of the Laws of the Twelfth General Assembly in relation to the registry of electors. Read a first and second time and referred to Committee on Elections.

#### RESOLUTIONS.

Mr. Harper introduced the following resolution and moved its adoption :

*Resolved*, That from and after the 25th instant no bill shall be introduced into the House except through the Standing Committees.

The motion did not prevail.

Mr. Harrington offered the following resolution :

*Resolved*, That no member shall occupy more than fifteen minutes in speaking on one and the same subject, without the unanimous consent of the House.

Mr. Morrison moved to refer the resolution to the Committee on Reform Schools. The motion prevailed.

Mr. Sater moved to take up House File No. 59, A bill for an act to facilitate the draining of lands.

The motion prevailed.

Mr. Sater moved to adopt the substitute reported by the committee.

Mr. Spencer moved that the bill be recommitted to the committee and ordered printed.

Mr. Haycock moved to amend by referring to Committee on Judiciary.

By unanimous consent the amendments were withdrawn.

Mr. Brown, of Van Buren, moved that the bill be considered by sections.

The motion prevailed.

Mr. Applegate moved to strike out that portion of section 4, requiring that the trustees be qualified before entering upon the discharge of the duties prescribed by this act.

The motion prevailed.

Mr. Ketcham moved to amend section 9 by striking out of said section, after the word "compensation" the words "the same per day as they receive as township trustees," and insert the words "one dollar and fifty cents per day."

The motion prevailed.

Mr. Evans moved to strike out the words "any and" after the word "carry," in section 10.

The motion prevailed.

Mr. Dudley moved to amend section 12 by striking out the words "judgment of a jury composed of one," in the 4th line, the words "justice of the peace in and for such," in 6th line, the whole of the 8th and 9th lines, and the word "benefitted" in the 10th line.

Mr. Huff moved to amend the amendment by striking out the words "justice of the peace in the township where such drain may be," and in insert the words "Circuit Court."

Mr. Green offered the following resolution:

*Resolved*, That the report of the Committee on Constitutional Amendments, in regard to Woman Suffrage, be made the special order for Monday, March 21st, at 10 o'clock, A. M.

On motion of Mr. Russell, the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Speaker in the chair.

The Committee on Compensation of Public Officers, with leave of the House, introduced House File No. 283, A bill for an act to in-

crease the compensation of County Treasurers. Read a first and second time and placed on file.

Mr. Irish offered a preamble and joint resolution relative to improvement of the Des Moines Rapids of the Mississippi river. Referred to Committee on Federal Relations.

Mr. Harper offered the following resolution as a substitute for the resolution offered by Mr. Green in relation to "woman suffrage: "

*Resolved*, That when this House adjourn, on Tuesday the 22d instant, it be to 7½ o'clock, p. m., and that the report of the Committee on Constitution Amendments in regard to Woman Suffrage be made special for that hour.

Resolution adopted.

Mr. Taylor moved that the bill under consideration, to-wit: A bill for an act to facilitate the draining of lands, be referred to a select committee of three.

The motion prevailed.

Mr. Taylor moved that Messrs Lacey, Brown of Van Buren, and Sater, be appointed as said committee.

The motion prevailed.

Mr. Morrison moved that the committee be authorized to print the bill to be reported by them.

The motion prevailed.

Mr. Ketcham presented the following report of the Committee on Conference on House File No. 1, A bill for an act to amend chapter 86 of the Revision of 1860, regulating the sale of school lands, and for the protection of the permanent school fund.

The Committee on Conference upon the disagreeing votes of the two Houses upon House File No. 1, after a full and free conference have agreed to recommend and do recommend to their respective Houses, that the House do concur in the Senate amendment to said bill.

J. P. KETCHAM,

WM. HARPER,

JOHN MAHIN,

*Committee on the part of the House.*

WM. P. WOLF,

*Committee on the part of the Senate.*

Mr. Sanborn moved that the House take up House File No. 69.  
The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body

that the Senate has passed the following bills in which the concurrence of the House is asked.

Senate File No. 94, A bill for an act providing for the appointment of commissioners in other States.

Senate File No. 110, A bill for an act to provide information concerning the blind, also a resolution in relation to holding a joint convention on the 18th inst, for the purpose of electing a State Printer, State Binder, and Warder of the Penitentiary; I am also directed to inform your honorable body that the Senate has ordered printed the usual number of copies of the report of committee to visit the Penitentiary also the report of committee to visit Soldiers' Orphans' Home at Cedar Falls.

J. A. T. HULL,  
*First Assistant Secretary.*

Mr. Sanborn moved the adoption of the substitute to House File No. 69, A bill for an act to amend chapter 64 of the Revision of 1860 and to repeal section 2 of chapter 164 of the Twelfth General Assembly.

Mr. Irish moved that the substitute for House File No. 69 recommended by the committee be indefinitely postponed.

Mr. Harrison moved that both the original bill and substitute be laid on the table, upon which motion the yeas and nays were demanded and were as follows.

The yeas were—

Messrs. Applegate, Ball, Beresheim, Butterfield Crawford, DeGroat, Green, Harrison, Hartenbower, Hirschler, Irish, Keables, O'Donnell, Rohlf, Stewart, Wright of Allamakee, Mr. Speaker—17.

The nays were—

Messrs. Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Elbert, Evans, Gibbons, Harper, Harrington, Harts-horn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Pratt, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Sac—66.

Absent or not voting—

Messrs. Arnold, Butler, Christoph, Dunne, Durham, Faville, Kasson, Lee, McCoun, Miles of Wayne, Parsons, Rogers, Snow, Stone, Toliver, Warner—16.

The motion to lay on the table did not prevail.

Mr. Brown of Van Buren moved to amend the substitute as follows:

Add to end of section 4, the following, to-wit:

So far as it relates to counties adopting the provisions act but to none other.

Mr. Tufts moved the previous question, which was seconded. The question being on the amendment proposed by Mr. Brown of Van Buren, it was adopted.

The question recurring upon the adoption of the substitute as amended, the same was adopted.

Upon the question, shall the bill be engrossed for a third reading, the yeas and nays were demanded by Messrs. Applegate and Irish, and were as follows :

The yeas were—

Messrs. Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Carver, Cutts, Day, Dudley, Dumont, Elbert, Evans, Harper, Harrington, Hartshorn, Haycock, Hirschler, Hopkins, Hopkirk, Huff, Hunter, Jones, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Morrison, Newbold, Noel, Norris, Pratt, Rosser, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Wasson, Williams, Wilson, Wood, and Wright of Sac.—60.

The nays were—

Messrs. Applegate, Beresheim, Butterfield, Crawford, Carpenter, DeGroat, Dickerson, Gibbons, Green, Harrison, Hartenbower, Hobson, Hood, Irish, Keables, Mills, Miracle, Murdock, O'Donnell, Rohlf, Rowell, Wright of Allamakee, and Mr. Speaker.—24.

Absent or not voting—

Messrs. Arnold, Butler, Christoph, Dunne, Durham, Faville, Kasson, Lee, McCoun, Miles of Wayne, Parsons, Rogers, Snow, Stone, Toliver, Warner.—16.

So the bill was ordered to be engrossed for a third reading.

Mr. Sanborn moved that the bill be considered engrossed and read a third time now.

Mr. Applegate moved a call of the House, which was not sustained.

Mr. Irish moved that the House adjourn. The motion was lost.

The motion to suspend the rule and read the bill a third time, prevailed.

The bill was read a third time and upon the question shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Arnold, Beatty, Bonewitz, Brown of Van Buren, Bundy, Campbell, Carver, Cutts, Day, Dudley, Dumont, Elbert, Evans, Harper, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Newbold, Noel, Norris, Pratt, Rosser, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Traer, Tufts, Williams, Wilson, and Wright of Sac.—52.

The nays were—

Messrs. Applegate, Ball, Bell, Beresheim, Brown of Fayette, Butterfield, Carpenter, Crawford, DeGroat, Dickerson, Gibbons, Green, Harrison, Hartenbower, Hirschler, Hood, Irish, Keables, Mills, Miracle, Morrison, Murdock, O'Donnell, Rohlf, Rowell, Sater, Teale, Wasson, Wood, Wright of Allamakee, and Mr. Speaker—31.

Absent or not voting—

Messrs. Butler, Christoph, Dunne, Durham, Faville, Kasson, Lee, McCoun, Miles of Wayne, Parsons, Rogers, Snow, Stone, Toliver, and Warner, —15.

So the bill passed.

Mr. Russell moved to amend the title of the bill as follows: A bill for an act to provide for the prohibition of the sale of ale, wine, and beer, in counties, by a vote of the people, which motion prevailed.

Leave was granted Mr. Stanchfield to introduce House File No. 284, A bill for an act providing for additional fees for sheriffs, constables, and other persons in certain criminal cases.

Read a first and second time and referred to Committee on Ways and Means.

Mr. Harper moved to take up the Senate Concurrent Resolution in relation to the election of State Printer and Binder, and Warden of the penitentiary, which resolution was as follows:

*Resolved*, By the Senate, the House of Representatives concurring, that the Senate will meet the House in joint convention on Friday, the 18th day of March, 1870, at 2 o'clock p. m., for the purpose of electing a State Printer, State Binder, and Warden of the State Penitentiary.

Mr. Harper moved the adoption of the resolution.

Motion carried.

Mr. Miller moved that the House adjourn.

The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 17, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Thos. Ballenger.

The journal of yesterday read and approved.

Leave was granted Messrs. Arnold, McCoun, Rogers, and Toliver to record their votes in favor of the substitute for House File No. 69, which passed the House yesterday.



## REPORTS OF COMMITTEES.

Mr. Traer, from the Committee on Ways and Means, made the following report :

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House File No. 160, A bill for an act in relation to the assessment, taxation, valuation, and ownership of dogs, beg leave to report that they have had the same under consideration and have instructed me to report back to the House the accompanying substitute which they recommend do pass.

TRAER, *Chairman.*

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 214, A bill for an act to legalize the election of corporation officers in the town of Le Claire, county of Scott, and State of Iowa, on the 1st Monday of March, A. D., 1869.

Also, a joint resolution relating to the civil contest in the island of Cuba.

And a memorial for the relief of the Homestead settlers.

G. S. TOLIVER, *Chairman.*

## INTRODUCTION OF BILLS.

Mr. Crawford introduced House File No. 228, A bill for an act to release Dubuque county from certain liabilities to the State of Iowa upon payment of the same to the city of Dubuque for the improvement of its harbor and providing for the collection of taxes in certain cases.

Read a first and second time and referred to Committee on Judiciary.

Mr. Day introduced House File No. 289, A bill for an act to increase the compensation of district attorneys.

Read a first and second time and referred to Committee on Compensation of Public Officers.

## MESSAGES ON SPEAKER'S TABLE.

Senate File No. 110, A bill for an act to provide information concerning the Blind.

Read a first and second time.

Mr. Wilson moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McConn, McGavren, Merritt, Miles of Washington, Millard, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Mr. Speaker—90.

The nays were—

Mr. Harrison—1.

Absent or not voting—

Messrs. Dunne, Faville, Gibbons, Miles of Wayne, Miller, Rohlf, Warner, Wright of Sac.—8.

So the bill passed, and the title was agreed to.

Senate File No. 94, A bill for an act providing for the appointment of commissioners in other States.

Read a first and second time and referred to Committee on Federal Relations.

Mr. Taylor moved to take up House File No. 219, A bill for an act to annex certain lands to the independent school district of Strawberry Point, for school purposes.

The motion prevailed.

Mr. Taylor moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The bill was read a third time and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacy, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller,

Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, and Mr. Speaker—77.

The nays were—

Messrs. Ball, Christoph, Crawford, and Harrison—4.

Absent or not voting—

Messrs. Beresheim, DeGroat, Faville, Gibbons, Green, Harrington, Irish, McCoun, Miles of Wayne, Parsons, Pratt, Rohlfes, Sater, Warner, Wright of Allamakee, and Wright of Sac.—16.

So the bill passed and the title was agreed to.

Mr. Newbold moved to take up substitute for House File No. 45, A bill for an act to empower School Boards to procure School House sites.

The motion prevailed.

Mr. Haycock moved to strike out the words "twenty rods from any dwelling house.

The motion did not prevail.

Mr. Lacey moved to amend by adding a new section, as follows:

SEC. 4. The title acquired by said school districts in and to said real property shall be for school purposes only, and in case the same should cease to be used for said purpose for the space of two years, then the title acquired in said land under this act shall revert to the owner of the fee-simple title of the same, upon the repayment by him of the principal amount paid for said land by said district without interest, together with the value of any improvements thereon erected by said district.

The motion prevailed and the amendment was adopted.

Mr. Applegate moved the previous question, which was seconded and the main question ordered.

The substitute was adopted and the bill ordered to be engrossed.

Mr. Applegate moved that the rule be suspended and the bill read a third time now.

The motion prevailed.

The bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, Dudley, Dumont, Durham, Evans, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Russell, Sanborn,

Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Traer, Wasson, Williams, Wood, and Mr. Speaker—71.

The nays were—

Messrs. Beresheim, Bonewitz, Brown of Fayette, Carpenter, Christoph, Crawford, Day, DeGroat, Dickerson, Elbert, Harrison, Irish, McCoun, Merritt, Rohlf, Rowell, Spencer, Stone, Toliver, Tufts, Wilson, Wright of Allamakee, Wright of Sac—23.

Absent or not voting—

Messrs. Dunne, Faville, Miles of Wayne, Parsons, and Warner.—5.

Mr. Kasson offered the following resolution, which was adopted:

*Resolved*, That Chas. A. Croncy be appointed assistant clerk, *pro tem*, of this House, until the recovery of Mr. Van Steinberg.

Mr. Ketcham moved that the House do now concur in the report of the Committee of Conference on House File No. 1, A bill for an act to amend section 3 of chapter 118 of the laws of the Tenth General Assembly, and section 11 of chapter 148 of the laws of the Ninth General Assembly, and to regulate the sale of school lands.

Upon this question the yeas and nays were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Gibbons, Harper, Harrington, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—88.

The nays were—

Messrs. Green—1

Absent or not voting—

Messrs. Crawford, Dunne, Faville, Hartshorn, Harrison, Miles of Wayne, Morrison, Parsons, Warner, and Wood—10.

So the report was adopted, the bill passed and the title was agreed to.

The hour having arrived for the consideration of the special order House File No. 264, A bill for an act for the taxation of Railroads.

Mr. Traer from the Committee on Ways and Means was granted leave to submit the following reports.

MR. SPEAKER—Your Committee on Ways and Means to whom was

referred House File No. 275, A bill for an act to amend section 720 of chapter 45, Revision 1860, beg leave to report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 233, A bill for an act to provide for the greater security of the permanent school fund and to increase its usefulness beg leave to repost the same back to the House with the following amendments:—Strike out the words February and August, in the fourth line of section 2, and insert January and July. In the fifth line, strike out *thirty* and insert *sixty*, and insert after the words “deprived of,” “an equal amount of.” Add the following proviso to said section. “That every loan hereafter made and present loans renewed or extended shall require the semi-annual payment of interest on the 12th, day of January and July of each year but no county shall be required to pay the interest upon notes now outstanding and not mature until the same shall become due by the terms thereof.

TRAER, *Chairman.*

On motion of Mr. Irish, the Special Order was taken up.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment:

House File 280, A bill for an act to legalize the incorporation of the town of Leon, Decatur county, Iowa.

J. A. T. HULL,  
*1st. Assist. Secretary.*

Mr. Hunter moved that when the House adjourn it be until 2 o'clock, P. M.

The motion prevailed.

Mr. Rowell moved that the House do now adjourn.

The motion prevailed.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Dudley moved that the Committee on Claims be allowed to meet in the library during the session of the House.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following resolution in which the concurrence of the House is asked:

*Resolved*, By the Senate, the House concurring, that the present session of the General Assembly of the State of Iowa will adjourn *sine die*, on Wednesday, the 13th day of April next.

J. A. T. HULL,  
*First Assistant Secretary.*

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body, that the Senate has concurred in the House amendments to Senate File No. 12, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest and costs due thereon, with the following amendments, in which the concurrence of the House is asked.

Strike out all of section 1, after the enacting clause and insert: That it shall be the duty of the several county treasurers of this State, on the first Monday in October, A. D. 1870 or any adjourned sale thereafter to offer and sell at public sale to the highest bidder therefor, all lands and town lots which then remain liable to sale for delinquent taxes, and which have heretofore been advertised and offered at public sale and passed for want of bidders for two or more years by giving general notice of such sale for six weeks previous thereto, in the official paper of each of their respective counties which said notice shall refer to and embrace the general provisions of this act.

Strike out all of section two.

JAMES M. WEART, *Secretary.*

Mr. Mahin moved to amend the amendment as follows:—Strike out the words “actual” in the fourth line of section two and insert the word “estimated.” In the tenth line of said section, insert the word “estimated” between the words “the” and “aggregate,” in said line.

Strike out of the eleventh and twelfth lines of said sections the words, "and the length of all side tracks and turnouts to."

Before the words "each" in the twelfth line insert the word "in."

Strike out the word "actual" in said line and insert the word "estimated." Between the words "value" and "of" in said twelfth line, insert the words "thereof and."

In the first line of section 5 strike out the word "of" where it occurs between the words "list" and "schedule," and insert the word "or."

Mr. Ketcham moved the previous question, which was considered and the question ordered.

The question being on the adoption of the amendment proposed by Mr. Irish, Messrs. Applegate and Irish demanded the yeas and nays, which was as follows:

The yeas were:—

Messrs. Ball, Bell, Butterfield, Carver, Christoph, Dickerson, Dumont, Evans, Gibbons, Harper, Harrison, Hartenbower, Hirschler, Hood, Hopkirk, Irish, Jones, Kasson, Ketcham, Lee, Lom, men, Mahin, Merritt, Newbold, Noel, O'Donnell, Pratt, Sanborn-Sater, Satterthwaite, Snow, Stewart, Stone, Toliver, Traer, Tufts, Wood, Wright of Allamakee—38.

The nays were:—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Crawford, Cutts, Day, DeGroat, Dudley, Durham, Elbert, Green, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Huff, Hunter, Keables, Lacey, Marks, McCoun, McGavren, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Norris, Rogers, Rohlf, Rosser, Rowell, Russell, Spencer, Stanchfield, Stutsman, Swan, Tait, Taylor, Teale, Wasson, Williams, Wilson, Wright of Sac, and Mr. Speaker.—56.

Absent or not voting:—

Messrs. Dunne, Faville, Miles of Wayne, Parsons, and Warner.—5.

So the amendment did not prevail.

On the question of ordering House File No. 264 to be engrossed for a third reading, Messrs. Ketcham and Evans demanded the yeas and nays, which were as follows:

The yeas were:—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dudley, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washing-

ton, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—85.

The nays were—

Messrs. Ball, Day, Dickerson, Dumont, Harrison, O'Donnell, Sater, Snow.—8.

Absent or not voting—

Messrs. Dunne, Faville, Miles of Wayne, Parsons, Toliver, and Warner.—6.

So the bill was ordered engrossed for a third reading.

Mr. Hunter moved that the rule be suspended and the bill read a third time now.

Mr. Irish moved that the vote be reconsidered by which the bill was ordered to a third reading.

Mr. Evans moved that the House adjourn.

The motion did not prevail.

The motion to reconsider prevailed.

Mr. Harper moved to amend the bill by striking out "one half" where it occurs in section 4, and inserting "four-fifths."

Mr. Rogers moved to amend the amendment by striking out "four-fifths" and inserting "one fourth."

Mr. Irish moved a call of the House.

The motion did not prevail.

Mr. Russell moved the bill under consideration be made the special order for to-morrow morning at 9 o'clock.

The motion prevailed.

On motion of Mr. Russell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 18, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. Thos. Ballinger.

Journal of yesterday read and approved.

By leave, Mr. Brown of Fayette, introduced House File No. 291, A bill for an act providing for the improvement of the penitentiary, and the salary of the warden.

Read a first and second time and referred to Committee on Ways and Means.



By leave, Mr. Hartshorn introduced House File No. 292, A bill for an act to legalize the incorporation of the town of Mason City, Iowa, and the election of officers of said incorporation, also to legalize the act of *defacto* officers.

Read a first and second time and referred to Committee on Judiciary.

Mr. Ketcham moved that the special order be taken up.

The motion prevailed.

Mr. Rogers by consent of the House withdrew his amendment.

Mr. Murdock moved to amend the bill as follows :

Strike out the words "one-half" as they appear in the first line of section 4, and insert "one-fifth," strike out "other half" in seventh line of the same section and insert "other four-fifths." Adding to section 1 the following: "And the total gross receipts of any such railroad company having part of its line in another State, shall be taken into account and shall be apportioned by said treasurer in proportion to the number of miles of its main track and branches in the State."

Also, insert after the word "their," in the fourth line, the words "whole line of," after the word "Railroad" insert "whether in whole or part in this State."

Mr. Harper called for a division of the question, accepting by consent of the House the first part of Mr. Murdock's amendment.

Mr. Lacey moved to amend the first amendment by striking out "one-fifth" and inserting "one-third," and by striking out "four-fifths", and insert "two-thirds."

Mr. Beresheim moved the previous question which was seconded, and the main question ordered.

The question being upon the amendment offered by Mr. Lacey, the yeas and nays were demanded by Messrs. Applegate and Irish, which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Cutts, DeGroat, Dickerson, Durham, Lacey, Lommen, Marks, Miller, Rogers, Rowell, Williams, Wright of Allamakee, Wright of Sac—15.

The nays were—

Messrs. Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Day, Dudley, Dumont, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Mahin, McGavren, Merritt, Miles of Washington, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts Warner, Wasson, Wilson, Wood and Mr. Speaker.—76.

Absent or not voting—

Messrs. Christoph, Crawford, Dunne, Keables, McCoun, Miles of Wayne, Rohlf—8.

The amendment to the amendment was lost.

Leave of absence was granted to Messrs. Christoph and Crawford.

The question recurring on the first amendment offered by Mr. Murdock, to strike out the words "one half" as they appear in the first line of section 4, and insert "one-fifth" and strike out "other half" in seventh line of the same section and insert "other four-fifths." Messrs. Stanchfield and Hartshorn demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Dumont, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Mahin, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Murdock, Newbold, Noel, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, and Mr. Speaker.—71.

The nays were—

Messrs. Brown of Fayette, Butler, Cutts, Day, DeGroat, Dickerson, Durham, Haycock, Hobson, Lacey, Lommen, Marks, Miracle, Morrison, Norris, Parsons, Rowell, Swan, Teale, Wright of Allamakee, and Wright of Sac—21.

Absent or not voting—

Messrs. Christoph, Crawford, Dudley, Dunne, Faville, McCoun, Miles of Wayne—7.

So the amendments were adopted.

The second portion of Mr. Murdock's amendment was lost.

On the question of ordering the bill to be engrossed for a third reading, Messrs. Rogers and Wilson demanded the yeas and nays which was as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bereshiem, Bone-witz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield,

Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—86.

The nays were—

Messrs. Brown of Fayette, Butler, Day, DeGroat, Haycock, Mahin, Morrison, Teale—8.

Absent or not voting—

Messrs. Christoph, Crawford, Dunne, Faville, McCoun—5.

So the bill was ordered to be engrossed for a third reading.

Mr. Harper moved that the rule be suspended and the bill read time now.

The motion prevailed and the bill was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carver, Cutts, Dudley, Dumont, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—82.

The yeas were—

Messrs. Brown of Fayette, Butler, Day, DeGroat, Dickerson, Durham, Haycock, Hobson, Mahin, Morrison, Teale—11.

Absent or not voting—

Messrs. Christoph, Crawford, Dunne, Faville, McCoun, and Miles of Wayne—6.

So the bill passed and the title was agreed to.

Leave was granted Mr. Murdock, from the Committee on Public Buildings, to submit the following report:

MR. SPEAKER—Your Committee on Public Buildings to whom was referred House File No. 182, A bill for an act to provide for the completion of the center building, the north wing, rear center building, etc., of the Insane Asylum at Independence, beg leave to report the same back to the House with the recommendation that it do pass.

SAMUEL MURDOCK, *Chairman.*

Mr. Mills moved that House File No. 197, A bill for an act to provide rules and regulations for railroads, etc., etc., be made the special order for March 23d, 1870, at 10 o'clock, A. M.

The motion prevailed.

Mr. Lee moved that House File No. 182, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney and ducts, and the improvement of the grounds and farm of the Iowa Insane Asylum at Independence be made a special order for March 24th, 1870, at 10 o'clock, A. M.

The motion prevailed.

The hour having arrived for the consideration of the special order House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same.

Mr. Parsons moved that the special order, House File No. 147 be now taken up.

The motion prevailed.

Mr. Parsons moved to amend the bill as follows.

In the 7th line of the preamble, strike out the word "river," in the 9th line strike out the word "of." In the 2d line of section 2, strike out the words "as soon as practicable and before the first day of July next," and insert wherever it shall appear to the satisfaction of said board, that the title to said land is vested in the State, so as to be subject to grant." In the fifth line of section 2, strike out the words "can" and insert "shall."

In the 7th line of section 3 strike out the word "the" and insert "a" and in the 9th and 10th lines strike out the words "by direction of the Census Board."

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 179, A bill for an act to abolish the medical department of the Iowa State University.

J. A. T. HULL, *1st Asst. Secretary.*

Mr. Irish moved that Senate File No. 179 A bill for an act to abolish the medical department of the State University, be taken up for reference.

The motion prevailed and the bill was read a first and second time, and referred to Committee on State University.

Mr. Gibbons offered the following resolution which was laid on the table :

*Resolved*, That the Secretary of State be instructed to furnish J. A. Stright with stationary and postage stamps.

On motion of Mr. Beatty the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Russell, Speaker *pro tem*, in the chair.

Mr. Arnold, by leave of the House, introduced House File No. 298, A bill for an act for the protection of birds.

Read a first and second time and referred to Committee on Agriculture, and ordered to be printed.

Mr. O'Donnell moved that committee of three be appointed to inform the Senate that the House is now ready to meet them in joint convention. The Chair appointed Messrs. O'Donnell, Arnold, and Brown of Fayette.

Leave was granted Mr. Rogers from the Committee on Commerce to make the following reports :

MR. SPEAKER—Your Committee on Commerce, to whom was referred House File No. 122, A bill for an act to regulate the sale of unclaimed good in the possession of Warehouse men, beg leave to report the same back to the House with a substitute therefor, with recommendation that the substitute do pass.

ROGERS, *Chairman*.

MR. SPEAKER—Your Committee on Commerce, to whom was referred House File No. 185, A bill for an act to amend chapter 185 of the acts of the Twelfth General Assembly, beg leave to report the same back to the House with the recommendation that it do pass with the following amendment, viz: add to section one the words, "But persons so importing such stock shall be liable for all damages which any person may sustain in consequence thereof.

ROGERS, *Chairman*.

Mr Dudley from the Committee on Claims presented the following report:

MR. SPEAKER—Your Committee on Claims, to whom was referred House File No. 226, A bill for an act to pay Jacob Reichard for money expended the erection of the agricultural building, beg leave

to report the same back to the House, with the recommendation that it does not pass, for the reason that the Board have already paid him \$5547.06, more than his contract, (see report, page 62,) they also paid him for all his extra work \$8605.75, and for their authority so to settle, (see chapter 177, arts. of the Twelfth General Assembly.)

C. DUDLEY, *Chairman.*

The committee appointed to notify the Senate made their report.

The sergeant-at-arms announced the Honorable Senate, who entered the hall and took the seats assigned them.

#### THE JOINT CONVENTION.

The President of the Senate announced that the Convention had met for the purpose of electing a State Printer, State Binder and Warden of the Penitentiary.

The President announced Senator Bennett, teller on the part of the Senate, and Mr. Dickerson on part of the House.

Mr. Dudley moved that the Convention proceed to the election of State Printer.

The motion prevailed.

Senator Dixon nominated G. W. Edwards.

Senator Knoll nominated Joseph W. Snow.

The joint roll was then called with the following result:

Whole number of votes cast.....	111.
Necessary to a choice.....	56.
G. W. Edwards.....	106.
Joseph W. Snow.....	5.

Mr. Edwards having received a majority of all the votes cast, was declared duly elected State Printer for the ensuing term.

Those voting for Mr. G. Edwards were—

Messrs. Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Couch, Cutts, Day, Dickerson, Dixon, Donnan, Dudley, Dumont, Durham, Dysart, Elbert, Evans, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartshorn, Havens, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Keller, Keables, Ketcham, Lacey, Lee, Lommen, Long, Mahin, Marks, McGavren, McKean, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Patterson, Pierce, Pratt, Rogers, Rohfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stewart,

Stone, Stutsman, Swan, Taylor, Teale, Toliver, Vale, Vermillion, Warner, Wasson, West, Williams, Wilson, Wolf, Wright of Sac.—106

Those voting for Joseph W. Snow were—

Messrs. Bell, DeGroat, Fellows, Knoll, O'Donnell—5.

Absent or not voting—

Messrs. Allen, Bill, Bulis, Casady, Christoph, Crawford, Dunne, Dunham, Fairall, Faville, Gibbons, Green, Hartenbower, Hawley, Hirschler, Hood, Irish, Kasson, Larrabee, Lowry, McCoun, McCulloch, McNutt, Mills, Mitchell, Mulkern, Parsons, Rice, Tait, Traer, Traverse, Tufts, Tuttle, Wood, Wright of Allamakee, Wright of Lucas—36.

The Joint Convention then proceeded to the election of State Binder.

Mr. Russell nominated J. J. Smart, of Black Hawk county.

Mr. O'Donnell nominated William Lee of Johnson county.

The Joint Roll was then call with the following result.

Whole number of votes cast.....	111
Necessary to choice.....	56
Mr. J. J. Smart, received.....	106
Mr. William Lee, received.....	5

Mr. J. J. Smart, having received a majority of all the votes cast was declared duly elected State Binder for the ensuing term.

Those voting for J. J. Smart were—

Messrs. Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Day, Dickerson, Dixon, Donnan, Dudley, Dumont, Durham, Dysart, Eibert, Evans, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartshorn, Havens, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Keables, Keller, Ketcham, Lacey, Lee, Lommen, Long, Mahin, Marks, McGavren, McKean, Merritt, Miles of Wayne, Miles of Washington, Millard, Miller, Miracle, Moore, Morrison, Murdock, Newbold, Newell, Noel, Norris, Parsons, Patterson, Pierce, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teal, Toliver, Vale, Vermillion, Warner, Wasson, West, Williams, Wilson, Wolf, Wright of Sac.—106.

Those voting for Wm. Lee were—

Messrs. Bell, DeGroat, Hirschler, Knoll, O'Donnell.—5.

Absent or not voting were—

Messrs. Allen, Bill, Bulis, Casady, Christoph, Crawford, Dunne, Durham, Fairall, Faville, Fellows, Gibbons, Greene, Hartenbower, Hawley, Hood, Irish, Kasson, Larrabee, Lowry, McCoun, McCulloch,

McNutt, Mills, Mitchell, Mulkern, Murray, Rice, Sater, Traer, Traverser, Tufts, Tuttle, Wood, Wright of Allamakee, Wright of Lucas—36.

The Joint Convention then proceeded to the election of Warden of the Penitentiary.

Mr. Murdock nominated Martin Heisey, of Lee county.

Mr. O'Donnell nominated John G. Kennedy, of Lee county.

The roll was then called, with the following result :

Whole number of votes cast .....	106
Necessary for a choice .....	54
Martin Heisey received .....	102
John G. Kennedy received .....	4

Mr. Heisey having received a majority of all the votes cast, was declared duly elected Warden of the Penitentiary for the ensuing term.

Those voting for Martin Heisey were—

Messrs. Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell of Guthrie, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Day, Dicker, son, Dixon, Donnan, Dudley, Durham, Dysart, Elbert, Evans, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartsborn, Havens, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Keables, Keller, Ketcham, Lacey, Lee, Lommen, Long, Mahin, Marks, McGavren, McKean, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Patterson, Pierce, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Vale, Warner, Wasson, West, Williams, Wilson, Wolf, Wright of Sac—104.

Those voting for Mr. J. G. Kennedy were—

Messrs. Bell, DeGroat, Knoll, O'Donnell.—4.

Absent or not voting—

Messrs. Allen, Bill, Bulia, Butterfield, Campbell of Jasper, Casady, Christoph, Crawford, Dumont, Dunne, Dnuham, Fairall, Faville, Fellows, Gibbons, Green, Hartenbower, Hawley, Hirscher, Hood, Irish, Kasson, Larrabee, Lowry, McCorn, McCulloch, McNutt, Mills, Mitchell, Mulkern, Rice, Sater, Stewart, Teale, Traverser, Tufts, Tuttle, Vermillion, Wood, Wright of Allamakee, Wright of Sac, Lucas.—41.

The following certificates of the election of the officers therein named, were read and signed in open Convention :



REPRESENTATIVE HALL,  
Des Moines, Iowa, March 18, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Friday, the 18th day of March, A. D., 1870, for the purpose of electing a State Printer, G. W. Edwards, having received a majority of all the votes cast for said office, was declared duly elected as State Printer, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D., 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

GEANVILLE G. BENNETT,  
*Teller of the Senate.*

D. DICKERSON,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL, DES MOINES, IOWA, }  
March 18, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Friday, the 18th day of March, A. D., 1870, for the purpose of electing a State Binder, J. J. Smart, having received a majority of all the votes cast for said office, was declared duly elected as State Binder, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed, in the presence of the joint convention, this 18th day of March, A. D., 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

GEANVILLE G. BENNETT,  
*Teller of the Senate.*

D. DICKERSON,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL, DES MOINES, IOWA, }  
March 18, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Friday, the 18th day of March, A. D., 1870, for the purpose of electing a Warden of the Penitentiary, Martin Heisey, having received a majority of all the votes cast for said office, was declared duly elected as Warden of the Penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed, in the presence of the joint convention, this 18th day of March, A. D., 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST :

GRANVILLE G. BANNETT,

*Teller of the Senate.*

D. DICKERSON,

*Teller of the House of Representatives.*

Mr. Dudley moved that the Joint Convention be now dissolved.  
The motion prevailed.

The House was then called to order.

Leave was granted Mr. Mahin to change his vote on House File No. 264, and upon the call of his name he voted "Aye," on the passage of the bill.

The House resumed consideration of House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same.

Leave of absence was granted Mr. Hopkirk until Wednesday.

Leave of absence was granted Mr. Crawford until Wednesday.

Leave of absence was granted Messrs. Stewart, McGavren, Huff, and Hopkins until Tuesday, and Messrs. Gibbons and Hirschler until Monday.

Mr. Parsons moved that the bill under consideration be made the special order for Friday, March 25th, at 10 o'clock, A. M.

The motion prevailed.

Mr. Sater moved that the House do now adjourn.

The motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 19, 1870.

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Right Rev. Bishop Lee, in place of Rev. C. R. Pomeroy.

The Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 76, A bill for an act to provide for the submission of the question of calling a constitutional convention to the qualified voters of Iowa.

Senate File No. 184, A bill for an act resuming the lands granted to the Dubuque, Bellevue, and Sabula Railroad Company, by chapter 124 of the acts of the Twelfth General Assembly.

I also return herewith the following House Bill which has passed the Senate without amendment :

A bill for an act to encourage immigration to the State of Iowa.

I am also directed to inform the House that the Senate has ordered printed the report of the Joint Committee, appointed to visit the Soldier's Orphans' Home, at Glenwood.

JAMES M. WEART, *Secretary*]

Leave of absence was granted Messrs. Stanchfield, Harrison, Hood, Noel, Harrington, Swan, Arnold, Wood, Hopkins, and McGavren, until Tuesday morning, and Mr. Day until Wednesday morning.

PETITIONS AND MEMORIALS.

Mr. Kasson presented a memorial from H. C. Hargis and one hundred other citizens of Polk county, asking that their property be exempt from taxation as school property.

Placed on file with House File No. 212.

Mr. Bundy presented petitions of citizens of Jasper county, asking an appropriation for a new capitol.

Placed on file.

Mr. Satterthwaite presented a petition from citizens of Henry county, asking a change of the general incorporation law.

Referred to the Committee on Incorporations.

Mr. Durham presented a petition from citizens of Marion county, asking the passage of a law to benefit the fishing interest.

Referred to Committee on Fish.

#### REPORTS OF COMMITTEES.

Mr. Marks from the Committee on Public Lands presented the following reports:

MR. SPEAKER—Your Committee on Public Lands, to whom was referred House File No. 278, A bill for an act to legalile the sale of the indemnity swamp lands of Ida county, Iowa, beg leave to report the same back to the House with the recommendation that it do pass.

C. R. MARKS, *Chairman.*

MR. SPEAKER—Your Committee on Public Lands to whom was referred Senate File No. 126, A bill for an act authorizing the conveyance of certain lots in Iowa City by the Register of the State Land Office, beg leave to report the same back to the House with the recommendation that it do pass.

C. R. MARKS, *Chairman.*

Mr. Rogers from the Committee on Commerce presented the following report:

MR. SPEAKER—Your Committee on Commerce to whom was referred House File No. 227, A bill for an act repealing section 1332 of Article 4 of the Revision of 1860, and for regulating the consolidation and leasing of railroads and providing for the joining and intersection of the same, beg leave to report the same back to the House with the recommendation that it do pass.

ROGERS, *Chairman.*

Mr. Kasson, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations to whom was referred Senate File No. 94, A bill for an act providing for the appointment of commissioners in other States, beg leave to report the same back to the House with the recommendation that it do pass.

JOHN A. KASSON, *Chairman.*

Mr. Kasson moved that Senate file No. 94, A bill for an act providing for the appointment of commissioners in other States be taken up.

Mr. Kasson moved to amend the eighth line of Section 13 by striking out five dollars and inserting three dollars. The amendment was adopted.

Mr. Kasson moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

Upon the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Dickerson, Dudley, Dumont, Durham, Evans, Green, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Morrison, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker—60.

The nays were—

Messrs. Cutts, and Sater—2.

Absent or not voting—

Messrs. Arnold, Ball, Beatty, Beresheim, Carver, Christoph, Crawford, Day, DeGroat, Dunne, Elbert, Faville, Gibbons, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, McCoun, McGavren, Miles of Washington, Millard, Miracle, Murdock, Newbold, Noel, Parsons, Satterthwaite, Stanchfield Stewart, Swan, Tufts, Wilson, and Wood—37.

So the bill passed and the title being amended as follows by adding to the title "and to regulate the powers of Commissioners of other States in this State," was agreed to.

Mr. Kasson from the Committee on Federal Relations presented the following report.

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred Joint Resolution relative to improvement of the Des Moines Rapids of the Mississippi, River, beg leave to report the same back to the House with the recommendation that it be adopted.

JOHN A. KASSON, *Chairman*.

Mr. Kasson moved that the Joint Resolution in relation to the improvement of the Des Moines Rapids of the Mississippi river, be adopted,

The motion prevailed.

Mr. Wilson from the Committee on Agriculture presented the following reports.

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No 193, A bill for an act to further advertise estrays, beg leave to report the same back to the House, with the recommendation that it do not pass.

JAMES WILSON, *Chairman*.

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 206, A bill for an act to amend chapter 92 Acts of Twelfth General Assembly, beg leave to report the same back to the House with the recommendation that it pass as amended.

JAMES WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 243, A bill for an act to amend an act entitled an act to encourage the planting and growth of timber, beg leave to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 279, A bill for an act, beg leave to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman.*

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No 207, A bill for an act to amend chapter 135, beg leave to report the same back to the House with the recommendation that it do not pass.

JAMES WILSON, *Chairman.*

Mr. Brown, of Fayette, from the Committee on Military Affairs presented the following report :

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred a joint resolution requesting our representatives, and instructing our Senators in Congress to use their influence to procure such legislation as may be necessary to set aside the verdict of a military court in the cases of Wm. B. Critchfield and Henry C. Anderson, privates of Co. C. 13th Regiment Iowa Infantry, have had the same under consideration, and have directed me to report the same back with a recommendation that it do pass.

AARON BROWN, *Chairman.*

Mr. Stutsman moved the adoption of the resolution. The motion prevailed.

Mr. Campbell, by leave, presented a petition of citizens of Oakfield, Audubon county, asking power to transfer the public square of the town of Oakfield to sub-district No. 3 of said township district, for the purpose of erecting a school-house thereon. Referred to Committee on Schools.

Mr. Stone, from the Committee on Judicial Districts, presented the following reports :

MR. SPEAKER—Your Committee on Judicial Districts to whom was referred House File No. 221, A bill for an act detaching Grundy county from the Ninth Judicial District, and attaching the same to the Eleventh Judicial District, and prescribing the times of holding courts therein, beg leave to report the same back to the House with the recommendation that it do pass.

JOHN Y. STONE, *Chairman*.

MR. SPEAKER—Your Committee on Judicial Districts, to whom was referred House File No. 124, A bill for an act to provide for an additional argument term of the Supreme Court, beg leave to report the same back to the House with the recommendation that it do pass, with the following amendments :

Fill the blanks in section (1) *one* with the following: "beginning on the second Mondays in May and November of each year."

2nd. Fill the blanks in section (3) *three* with the following: "Plymouth, Sioux, Ida, Cherokee, Woodbury, Monona, Crawford, Sac, Harrison, Shelby, Pottawattamie, Cass, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold.

JNO. Y. STONE, *Chairman*.

MR. SPEAKER—Your Committee on Judicial Districts, to whom was referred House File No. 253, A bill for an act to provide for the formation of the Thirteenth Judicial District, and providing for the election of a district and circuit judge and district attorney therein, beg leave to report the same back to the House, with the recommendation that it do pass.

JNO. Y. STONE, *Chairman*.

Mr. Toliver from the Committee on Enrolled Bills presented the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

House File No, 280, A bill for an act to legalize the incorporation of the town of Leon, Decatur county, Iowa.

Senate File No. 166, A bill for an act to enable Forest City township, Howard county, to hold a special election for township trustees and township clerk.

House File No. 1, A bill for an act to amend section three of chapter 118 of the laws of the Tenth General Assembly, and section 11 of chapter 148, of laws of the Ninth General Assembly, and to regulate the sale of school lands.

G. S. TOLIVER, *Chairman*.

## INTRODUCTION OF BILLS.

Mr. Applegate introduced House File No. 294, A bill for an act to legalize the election of sub-district director, in township district of Grant, Cass, county, Iowa.

Read a first and second time and referred to the Committee on Schools.

Mr. Brown, introduced House File No. 295, A bill for an act to prohibit the use of the lash in the Iowa Penitentiary.

Read a first and second time.

Mr. Russell moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—68.

The nays were—

None.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Carver, Christoph, Crawford, DeGroat, Dunne, Faville, Gibbons, Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, Kasson, Keables, McCoun, McGavren, Miles of Washington, Murdock, Sater, Stanchfield, Stewart, Swan, Tufts, Wood,—31.

So the bill passed and the title was agreed to.

Mr. Dudley introduced House File No. 296, A bill for an act for the government of the State University.

Read a first and second time and referred to Committee on State University.

Mr. Snow introduced House File No. 297, A bill for an act to amend chapter 138 of the laws of the Twelfth General Assembly, relating to insurance companies.

Read a first and second time and referred to Committee on Incorporations.

Mr. Norris introduced House File No. 298, A bill for an act to legalize the issue of bonds by the independent school district of Bloomfield, Iowa.



Read a first and second time and referred to Committee on Judiciary.

Mr. Snow introduced House File No. 299, A bill for an act to amend chapter 46 of the Revision of 1860, relating to road damages.

Read a first and second time and referred to Committee on Roads and Highways.

Mr. Green moved that House File No. 133, A bill for an act to promote the improvement of streets and sidewalks.

The motion prevailed.

Mr. Green moved that the amendments proposed by the Committee be adopted.

The motion prevailed.

Mr. Green moved a reconsideration of the vote by which the House concurred in the amendments proposed by the committee.

Mr. Teale move that the bill be laid on the table.

The motion prevailed.

Mr. Applegate moved to take up Senate File No. 36, A bill for an act to authorize the improvement of streets and alleys.

The motion prevailed.

Mr. Applegate moved to amend by striking out after the words "every lot or any part thereof," the following words, "for the grading, paving, or macadamizing of any street, avenue or alley, or part of either of the same;" and add at the end of the section, "of such gutter or sidewalk."

The motion did not prevail.

Mr. Williams moved to recommend Senate File No. 36 to the Committee on Incorporations.

The motion prevailed.

Mr. Rowell from the Committee on Judiciary made the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 115, A bill for an act to legalize the acts of the fire companies of Waterloo, beg leave to report the same back to the House with the following substitute that it do pass.

N. W. ROWELL, *Chairman.*

Mr. Rowell moved to take up House File No. 115, A bill for an act to legalize the organization of the Red Jacket Fire Company, of the village of Waterloo, and the organization of the Waterloo Hook and Ladder Company.

The motion prevailed.

Mr. Rowell moved to adopt the substitute recommended by the committee.

The motion prevailed.

Mr. Rowell moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Cutts, Day, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Green, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Kasson, Ketcham, Lacey, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker—65.

The nays were—

Mr. Dudley—1.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Butterfield, Carver, Christoph, Crawford, DeGroat, Faville, Gibbons, Harper, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, Keables, Lee, McOoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Stanchfield, Stewart, Swan, Taylor, Tufts, Wood—33.

So the bill passed and the title was agreed to.

Mr. Rohlfs moved to take up House File, No. 212, A bill for an act to amend section 711, of chapter 45, of the Revision of 1860.

The motion prevailed.

Mr. Rohlfs moved to amend the bill by striking out the word "societies" in the fifth line, and inserting the word "institutions," and striking out the word "fourteenth" in the same line and inserting the word "fifteenth." The motion prevailed.

Mr. Rohlfs moved that the rule be suspended and the bill read a third time.

The motion prevailed and the bill was read a third time. Upon the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dunne, Durham, Elbert, Green, Harper, Hartenbower, Hartshorn, Hobson, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sater, Satterthwaite, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Messrs. Evans, Sanborn, Snow, Traer, and Wilson—5.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Carver, Christoph, Crawford, DeGroat, Dumont, Faville, Gibbons, Harrington, Harrison, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, McCoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Stanchfield, Stewart, Swan, Tufts, and Wood—30.

So the bill passed and the title was agreed to.

Mr. Pratt moved that Senate File No. 74, A bill for an act to amend article 3, of chapter 55, of the Revision of 1860, granting right of way to railroad companies, be taken up. The motion prevailed.

Mr. Pratt moved that the rule be suspended and the bill be read a third time now. The motion prevailed and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Jones, Merritt, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Sac, Mr. Speaker.—65.

The nays were—none.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Bundy, Christoph, Crawford, DeGroat, Faville, Gibbons, Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Murdock, Noel, Russell, Stanchfield, Stewart, Swan, Tufts, Wood, Wright of Allamakee—34.

So the bill passed and the title was agreed to.

Mr. Rogers moved to take up House File No. 262, A bill for an act relating to the acknowledgment and recording of deeds in certain cases and rendering valid the acknowledgment of deeds and instruments in writing.

The motion prevailed.

Mr. Rogers moved to amend the bill as recommended by the Committee.

The motion prevailed.

Mr. Rogers moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—65.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Bundy, Carver, Christoph, Crawford, DeGroat, Faville, Gibbons, Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Ketcham, McCoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Pratt, Rohlf, Stanchfield, Stewart, Swan, Tufts, and Wood.—34.

So the bill passed and the title was agreed to.

Mr. Wright of Sac moved to take up House File No. 278, A bill for an act to legalize the sale of indemnity swamp lands of Ida county,

The motion prevailed.

Mr. Wright of Sac moved the rule be suspended and the bill read a third time now.

The motion prevailed.

Upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Kasson, Keables, Lacey, Lee, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker.—64.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Ball, Beatty, Beresheim, Brown of Fayette, Bundy, Carver, Christoph, Crawford, DeGroat, Faville, Gibbons,

Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, Ketcham, Lommen, McCoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Rogers, Stanchfield, Stewart, Swan, Tufts, Wood—35.

So the bill passed and the title was agreed to.

Mr. Kasson moved to take up House File No. 208, A bill for an act to legalize the sale of certain lands by Polk county.

The motion prevailed.

Mr. Kasson moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Kasson, Keables, Lacey, Lee, Mahin, Marks, Merritt, Miles of Wayne, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Brown of Fayette, Bundy, Carver, Christoph, Crawford, DeGroat, Faville, Gibbons, Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, Ketcham, Lommen, McCoun, McGavren, Miles of Washington, Millard, Miller, Murdock, Noel, Rogers, Stanchfield, Stewart, Swan, Tufts, and Wood.—35.

So the bill passed, and the title was agreed to.

Mr. Wright, of Allamakee, moved to take up Senate File No. 12, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases, for an amount less than the taxes, interest, and costs thereon.

Mr. Wright, of Allamakee, moved that the House concur in the Senate amendments.

Upon the question shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hunter, Jones, Kasson, Keables, Lacey, Lee, Mahin, Marks, Merritt, Miles of Wayne, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons,

Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—65.

The nays were—

None.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Brown of Fayette, Bundy, Carver, Christoph, Crawford, DeGroat, Faville, Gibbons, Green, Harrington, Harrison, Hirschler, Hood, Hopkins, Hopkirk, Huff, Irish, Ketcham, Lommen, McCoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Stanchfield, Stewart, Swan, Tufts, Wood.—34.

So the House concurred in the Senate amendments.

Mr. Elbert asked leave to introduce House File No. 300, A bill for an act to amend sections 3324 and 3325 of the Revision of 1860. Read a first and second time and referred to the Committee on Judiciary.

Mr. Morrison moved that the House adjourn until 10 A. M. Monday morning.

The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 21, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Right Rev. Henry W. Lee, Bishop of the Diocese of Iowa.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Gibbons presented a petition in relation to the Usury Laws of Iowa. Referred to the Committee on Judiciary.

Mr. Spencer presented a remonstrance from citizens of Clinton county against an appropriation for a new capitol. Placed on file.

Mr. Toliver presented a remonstrance signed by Albert Head and 42 other citizens of Greene county against any and all appropriations for a State capitol during the present session of the General Assembly. Placed on file.

Mr. Hartshorn presented a petition of H. V. Dwelle and 20 other citizens of Worth county asking repeal of Usury Law. Referred to Committee on Judiciary.

## REPORTS OF COMMITTEES.

Mr. Wilson from the Committee on Agriculture presented the following report:

MR. SPEAKER—Your Committee on Agriculture to whom was referred House File No. 293, A bill for an act to protect birds, have had the same under consideration and a majority of the Committee have instructed me to report the same back to the House with the recommendation that it do pass.

JAMES WILSON, *Chairman.*

Mr. Applegate from the Committee on Elections presented the following report:

Your committee to whom was referred the within petition report the same back to the House with the recommendation that no action be taken thereon.

C. C. APPLEGATE, *Chairman.*

Mr. Brown of Fayette, from the Committee on Military Affairs, presented the following report:

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred House File No. 97, A bill for an act to erect a monument to the deceased soldiers in the cemetery at Keokuk, Iowa, beg leave to report the same back to the House with a substitute which they recommend do pass.

AARON BROWN, *Chairman.*

Mr. Cutts from the Committee on Railroads presented the following majority and minority reports:

MR. SPEAKER—Your Committee on Railroads to whom was referred House File No. 197, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the House with the accompanying amendments, and as amended, recommend that it do pass.

CUTTS, *Chairman.*

We, the undersigned, a minority of the Railroad Committee, after carefully considering the merits of House File No. 197, A bill for an act to prescribe rules and regulations for railroads and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon, respectfully beg leave to submit the following as a part of our reasons why the said bill should not become a law:

1. That while we believe that the right to regulate the rates of freight and passenger travel exists in the State. We do believe that the greatest discretion should be exercised in operating that right and putting it into practice. That in our opinion our roads being comparatively in their infancy, passing through a sparsely settled country, dependent mainly upon foreign business for their support. And from examination into their business we do not find that their earning are larger than they ought to be upon the capital invested, and only in isolated instances are their rates considered oppressive.

2nd. That experience has demonstrated that the law of supply and demand is the safest agent to intrust with the regulating of commerce, and should be appealed from only when the most stern necessity requires it.

3rd. That the past has shown that the exigencies of business require that the rules and regulations of Railroads, like all other business, in order to be successfully conducted, are subjected to changes and modifications; and, as our General Assembly meets only once in two years, we must necessarily, if at all establish a rate that cannot be changed in a less period, thereby assuming that no contingencies or exigencies may arise, either in cost of operating, or otherwise, to justify a change; and,

4th. We believe that by enacting such a law at this time—a time of financial depression—capital would be deterred from coming to our State, but would seek investment elsewhere. And for these reasons we believe the time has not come when sound policy would dictate and justify the State of Iowa in placing upon her statute books such a law.

M. E. CUTTS,  
A. S. FAVILLE,  
G. H. WRIGHT, of Sac,  
H. G. DAY,  
J. BERESHEIM,  
E. DeGROAT,  
H. B. WILLIAMS,  
B. F. KEABLES.

Mr. Brown, of Van Buren, from the Committee on Charitable Institutions, presented the following report:

MR. SPEAKER—Your Committee on Charitable Institutions to whom was referred Senate File. No 92, A bill for an act to authorize the working of persons confined in the Jails of the State and to protect prisoners, report the same back to the House with a recommendation that it do pass.

JOEL BROWN, *Chairman.*



## INTRODUCTION OF BILLS.

Mr. O'Donnell introduced House File No. 301, A bill for an act for the relief of Patrick Hamil. Read a first and second time and referred to Committee on Judiciary.

Mr. Hunter introduced House File No. 302, A bill for an act to create a State Board of Examiners and to define their duties. Read a first and second time and referred to Committee on Ways and Means.

Mr. Norris introduced House File No. 303, A bill for an act to legalize the levy of taxes in sub-district No. 6, in Lick Creek township, Davis county, Iowa.

Read a first and second time and referred to Committee on Schools.

## RESOLUTIONS.

Mr. Hobson offered the following Joint Resolution, which was referred to the Committee on Federal Relations.

*Resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence to procure the passage of an act by Congress, to permit the county of Clayton, State of Iowa, through its duly constituted authorities, to authorize the bridging of Turkey river for highways and railroads, without draws in said bridges.

Mr. Butler offered the following resolution.

Laid over under the rule.

*Be it resolved by the General Assembly of the State of Iowa*, That the Secretary of State be requested to furnish to this House such information as he may have, that will enable this House to determine what amount of appropriation will be necessary to place the unfortunate counties of the State "that are cursed with railroad facilities" upon an equal footing with counties that are not so unfortunate, to the end that the burden of taxation may be equalized for general revenue purposes.

Mr. Russell offered the following resolution which was adopted.

*Resolved by the House of Representatives the Senate concurring*, That the Department of Agriculture at Washington be furnished a copy of the Geological Survey of the State of Iowa, and that the Secretary of State be instructed to obtain a copy from the State Library, and forward it to the Department as a donation for its Library.

Mr. Russell offered the following resolution which was adopted:

*Resolved by the House of Representatives the Senate concurring*, That the commissioners of State Library be and they are hereby instructed to procure the back volumes of the American Naturalist, a monthly magazine published by the Peabody Institute, Salem,

Mass., and cause the same to be substantially bound for preservation in the State Library.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 76, A bill for an act to provide for the submission of the question of calling a constitutional convention to the qualified voters of Iowa. Read a first and second time and referred to Committee on Constitutional Amendments.

Senate File No. 185, A bill for an act resuming the lands granted to the Dubuque, Bellevue, and Sabula Railroad Company, by chapter 124 of the Acts of the Twelfth General Assembly. Read a first and second time and referred to Committee on Judiciary.

The Senate Resolution in relation to adjournment of the General Assembly on the 13th proximo was taken up.

Mr. Kasson moved its reference to the Committee on Ways and Means.

The motion prevailed.

#### BILLS ON SECOND READING.

House File No. 186, A bill for an act to repeal sections 9 and 10, of chapter 61, Acts of the Eleventh General Assembly, relating to the assessment of real estate in alphabetical order was taken up and on motion of Mr. Russell was recommitted to the Committee on Ways and Means.

House File No. 181, A bill for an act to constitute township trustees.

A Board of Equalization was taken up.

Mr. Applegate moved that the amendments reported by the Committee be adopted.

The motion prevailed.

Mr. Applegate moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Green, Harper, Hartshorn, Haycock, Hobson, Hood, Hunter, Jones, Kasson, Keables, Lacey, Lee, Marks, Merritt, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Parsons, Pratt, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—66.

The nays were—

Messrs. Brown of Van Buren, Day, Dunne, Elbert, Faville, Miles of Wayne, Rohlf, Rowell, Sanborn, Taylor—10.

Absent or not voting—

Messrs. Arnold, Beatty, Carver, Christoph, Crawford, Gibbons, Harrington, Harrison, Hartenbower, Hirschler, Hopkins, Hopkirk, Huff, Irish, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Murdock, Noel, Rogers, Stanchfield, Stewart, Swan, and Williams, Wood—29.

So the bill passed and the title was agreed to.

House File No. 136, A bill for an act to provide guardians for inebriates and other incapable persons, was taken up.

Mr. Rowell moved to lay the bill on the table.

The motion prevailed.

House File No. 150, A bill for an act for the relief of Marion county for money stolen from the county safe, was taken up.

The amendments recommended by the committee were adopted.

Mr. Haycock moved to strike out that portion of the amendment relating to the permanent school fund.

Mr. Day offered a Resolution relating to swamp land selections made subsequent to March, 3d, 1857. Referred to Committee on Public Lands.

Mr. Applegate moved that the House adjourn.

The motion prevailed.

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Two o'clock, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

The question being on the amendment offered by Mr. Haycock to House File No 150, the motion to adopt prevailed.

Mr. Irish moved that the bill be referred to Committee on Charitable Institutions,

Mr. Stutsman moved to amend by referring to Committee on Claims:

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate File No. 17, A bill for an act to further define the duties of County Auditor, and authorize him to appoint a deputy.

Senate File No. 141, A bill for an act authorizing the register of the State Land Office to convey to A. E. Haskell certain lots in Estherville, Iowa.

Also, Substitute for House File No. 115, A bill for an act entitled an act to legalize the organization of the Red Jacket Fire and Hose Company, in the village of Waterloo, and the Waterloo Hook and Ladder Company, with the following amendments, striking out the word "village" wherever it occurs therein, and inserting the word "town." In which the concurrence of the House is asked.

Also, that the Senate has indefinitely postponed House File No. 81, A bill for an act to provide for holding two terms of the circuit court annually at Wheatland in Clarion county, Iowa, and joint resolution changing the name of the Skunk rivers to their original name of Chicaquo.

I also return herewith the following bills and joint resolution which have passed the Senate without amendment:

House File No. 220, A bill for an act to authorize Thomas Mitchell and others to cut a canal across a strip of land to straighten the Des Moines river:

House File No. 250, A bill for an act to legalize the tax levy of the district township of Toledo, and the independent district of Toledo, in Tama county, for the year 1869.

Joint resolution asking increased mail facilities in Iowa.

Also that the Senate has concurred in the House amendments to Senate File No. 94, A bill for an act providing for the appointment of commissioners in other states.

JAMES M. WEART, *Secretary.*

The motion to refer House File No. 150, to Committee on Claims did not prevail.

The motion to commit the bill to Committee on Charitable Institutions did not prevail.

Mr. Rowell moved a reconsideration of the vote by which the amendment offered by Mr. Haycock passed. The motion prevailed.

Mr. Harper moved to recommit the bill to Committee on Claims.

Mr. Irish moved to amend by referring to Committee on Charitable Institutions.

Mr. Tutts moved the previous question, which was seconded, and the main question ordered.

The question being upon the amendment offered by Mr. Haycock, Messrs. Dudley and Irish demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Ball, Bonewitz, Brown of Van Buren, Butler, Butterfield,

Dickerson, Dunne, Evans, Faville, Gibbons, Harper, Hartenbower, Haycock, Hirschler, Hood, Irish, Morrison, Noel, Pratt, Stone, Taylor, Teale, Toliver, Wilson—24.

The nays were—

Messrs. Applegate, Bell, Beresheim, Brown of Fayette, Bundy, Campbell, Carpenter, Cutts, Day, Dudley, Dumont, Durham, Elbert, Hartshorn, Hobson, Hunter, Jones, Keables, Lacey, Lee, Merritt, Miles of Wayne, Miller, Miracle, Norris, O'Donnell, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stutsman, Tait, Traer, Tufts, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac and Mr. Speaker—45.

Absent or not voting—

Messrs. Arnold, Beatty, Carver, Christoph, Crawford, DeGroat, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Kasson, Ketcham, Lommen, Mahin, Marks, McCoun, McGavren, Miles of Washington, Millard, Mills, Murdock, Newbold, Parsons, Rogers, Stanchfield, Stewart, Swan, and Wood—80.

So the amendment was not adopted.

Mr. Russell moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time and upon the question, shall the bill pass? the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Marks, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Teale, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—69.

The nays were—

Messrs. Sater, Taylor, Toliver,—3.

Absent or not voting—

Messrs. Arnold, Ball, Beatty, Carver, Christoph, Crawford, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Mills, Murdock, Parsons, Rogers, Stanchfield, Stewart, Swan, Wood,—27.

So the bill passed and the title was agreed to.

Mr. Russell asked leave to submit the report of the Superintendent of the Orphans' Home at Cedar Falls to the Trustees, which was ordered printed.

Mr. Irish moved to take up Senate File No. 140, A bill for an act

to amend section 3275 of the Revision of 1860, as to the duties of certain treasurers.

The motion prevailed.

Mr. Irish moved that the rule be suspended, the and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Day, Dickerson, Dudley, DuPont, Dunne, Durham, Evans, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hunter, Irish, Kasson, Lacey, Lee, Merritt, Miles of Wayne, Miller, Miracle, Newbold, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Mr. Speaker—60.

The nays were—

Messrs. Cutts, DeGroat, Elbert, Haycock, Marks, Morrison, Noel, Snow, Sater, Toliver, Wright of Sac—11.

Absent or not voting—

Messrs. Arnold, Beatty, Carver, Christoph, Crawford, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Jones, Keables, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Mills, Murdock, Parsons, Rogers, Stanchfield, Stewart, Swan, Wood.—28.

So the bill passed and the title was agreed to.

Mr. Traer from the Committee on Ways and Means made the following report

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred Senate File No. 140, A bill for an act, etc., beg leave to report the same back to the House, with the recommendation that it do pass.

*TRAER, Chairman.*

Mr. O'Donnell moved to take up House File No. 290, A bill for an act to authorize the State Census Board to compromise and collect unavailable balances and accounts with defaulting County Treasurers, and to concur in the amendments reported by the Committee.

The motion prevailed.

Mr. Traer, moved that the rule was suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hunter, Irish, Kasson, Keables, Lacey, Lee, Marks, Merritt, Miles of Wayne, Miller, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee and Mr. Speaker—66.

The nays were—

Messrs. Rowell, Stutsman, and Wright of Sac—3.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Carver, Christoph, Crawford, Green, Harrington, Harrison, Hartshorn, Hopkins, Hopkirk, Huff, Jones, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Mills, Miracle, Murdock, Parsons, Rogers, Stanchfield, Stewart, Swan, and Wood—30.

So the bill passed and the title was agreed to.

Mr. Warner moved to take up House File No. 258, A bill for an act to attach certain lands to Maine township, Linn county, for school purposes, and that the amendment proposed by the Committee be adopted.

The motion prevailed.

Mr. Harper moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hunter, Irish, Kasson, Lacey, Lee, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—70.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Beatty, Carver, Christoph, Crawford, Evans, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Jones, Keables, Ketcham, Lommen, Mahin, Marks, McCoun, McGavren,

Miles of Washington, Millard, Mills, Murdock, Rogers, Stanchfield, Stewart, Swan, Wood—29.

So the bill passed and the title was agreed to.

Mr. Newbold moved to take up House File No. 167, A bill for an act to repeal section 3, chapter 178, of the acts of the Ninth General Assembly and to increase the compensation of assessors.

The motion prevailed.

Mr. Newbold moved that the substitute reported by the Committee be adopted.

Mr. Bundy moved to strike out "six hours" and insert "eight hours."

The motion prevailed.

Mr. Applegate moved to strike out "fifty cents.

The motion did not prevail.

Mr. Applegate moved to amend as follows.

Provided that no assessor shall be entitled to pay until the county auditor shall certify that the assessment is made according to law.

The motion did not prevail.

Mr. Wright of Sac moved to amend by striking out "\$2.50" and inserting "3.00."

The motion did not prevail.

The substitute proposed by the Committee as amended was adopted.

Mr. Newbold moved that the rule be suspended and the bill be read a third time now. The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Cutts, Day, DeGroat, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hunter, Irish, Keables, Lacey, Lee, Marks, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stone, Stutsman, Tait, Toliver, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—62.

The nays were—

Messrs. Bonewitz, Brown of Fayette, Dickerson, Sater, Spencer, Taylor, Teale, Traer, and Tufts—10.

Absent or not voting—

Messrs. Arnold, Beatty, Carver, Christoph, Crawford, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Jones, Kasson, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washing-



ton, Millard, Mills, Murdock, Rogers, Stanchfield, Stewart, Swan, and Wood—27.

So the bill passed and the title was agreed to.

Senate file No. 8, a bill for an act to authorize cities to reserve donations of grounds and library buildings and to maintain free public libraries and reading rooms was taken up.

Mr. Durham moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Bell, Beresheim, Bonewitz, Bundy, Butler, Butterfield, Campbell, Carpenter, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hunter, Irish, Kasson, Keables, Lacey, Lee, Marks, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Noel, Norris, Parsons, Pratt, Rohlf, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker—68.

The nays were—

Messrs. Ball, Brown of Van Buren, Cutts, Harper, Rosser, Sater—6.

Absent or not voting—

Messrs. Arnold, Beatty, Brown of Fayette, Carver, Christoph, Crawford, Green, Harrington, Harrison, Hopkins, Hopkirk, Huff, Jones, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Mills, Murdock, Newbold, O'Donnell, Rogers, Stanchfield, Stewart, Swan, and Wood—80.

So the bill passed and the title was agreed to.

Mr. Kasson moved to take up House file No. 204, a bill for an act to amend the law in respect to the liens of mechanics and others.

Mr. Kasson moved that the House concur in the amendments recommended by the committee. The motion prevailed.

Mr. Traer moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Cutts, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Elbert, Evans, Faville, Gibson, Green, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Irish, Kasson, Keables, Lacey, Lee,

Marks, Merritt, Miles of Wayne, Miller, Miracle, Morrison, Newbold, Noel, Norris, Parsons, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—64.

The nays were—

Messrs. Butterfield, and Carpenter—2.

Absent or not voting—

~ Messrs. Arnold, Beatty, Butler, Carver, Christoph, Crawford, Dumont, Harrington, Harrison, Hopkins, Hopkirk, Huff, Hunter, Jones, Ketcham, Lommen, Mahin, McCoun, McGavren, Miles of Washington, Millard, Mills, Murdock, O'Donnell, Pratt, Rogers, Stanchfield, Swan, Stewart, Taylor, Wood, and Wright of Sac—33.

So the bill passed and the title was agreed to.

Senate File No. 89, A bill for an act to amend section 7, chapter 102 of the Laws of the Ninth General Assembly, relative to the publication of notices of estrays.

Mr. Harper moved that the bill be laid on the table.

The motion prevailed.

Mr. Harper moved that the House adjourn.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
March 22, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

No prayer.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Hood from the Committee on Schools submitted the following reports :

MR. SPEAKER—Your Committee on Schools to whom was referred House File No 294, A bill for an act to legalize the election of sub-director in subdistrict No. 5, in district township of Grant, in Cass county, beg leave to report the same back to the House with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred petition of citizens of district township of Oakfield, Audubon county, asking the power to transfer the public square of Oakfield to sub-district No. 8 in said district township, for the purpose of erecting

a school-house thereon, beg leave to recommend that the prayer of petitioners be not granted.

HARPER, *Chairman*.

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 308, A bill for an act to legalize the levy of taxes in subdistrict No. 6, in district township of Lick Creek, Davis county, beg leave to report the same back to the House with the recommendation that it do pass.

HARPER, *Chairman*.

Mr. Evans from the Committee on Roads and Highways submitted the following report :

MR. SPEAKER—Your Committee on Roads and Highways to whom was referred House File No. 299, A bill for an act to amend chapter 46 of the Revision of 1860, beg leave to report the same back to the House with the recommendation that it do pass, with the following amendments, to-wit: strike out all after the words "five miles" in the 1st section of the bill, including the 2d section.

EVANS, *Chairman*.

Mr. Rowell from the Committee on Judiciary submitted the following reports.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 272, A bill for an act to legalize the acts of A. T. Reeves, Notary Public, of Franklin county, beg leave to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 273, A bill for an act to amend section 14, chapter 86, act of Twelfth General Assembly beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 245, A bill for an act to discontinue the Geological Survey beg leave to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 267, A bill for an act to amend section 2553, Revision of 1860, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 292, A bill for an act to legalize the incorporation of the town of Mason City, beg leave to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 276, A bill for an act to legalize the acts of Frederick Rector, county Judge of Fremont County, Iowa, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 203, A bill for an act to amend section 3292 of the Revision of 1860, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 281, A bill for an act to define the rights of persons to examine public records, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 288, A bill for an act to relieve the county of Dubuque from an honest debt due the State of Iowa, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No 240, A bill for an act to protect the people of Iowa from damage by fire from locomotives, beg leave to report the same back to the House with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

Mr. Green from the Committee on Constitutional Amendments, submitted the following report :

MR. SPEAKER—Your Committee on Constitutional Amendments to whom was referred a proposition to amend section 25, article 3, of

the Constitution, beg leave to report the same back to the Hou with the recommendation that it do not pass.

GREEN, *Chairman*.

MR. SPEAKER—Your Committee on Constitutional Amendments, to whom was referred Petition of J. H. Balty and others, asking for the formation of a new county from parts of Marion, Jasper and Mahaska counties, beg leave to report the same back to the House with the recommendation that the prayer of the petitioners be not granted.

GREEN, *Chairman*.

MR. SPEAKER—Your Committee on Constitutional Amendments to whom was referred House File No. —, A bill for an act to amend section eleven of article one (1) of the Constitution, beg leave to report the same back to the House with the recommendation that it do not pass.

GREEN, *Chairman*.

Mr Dudley from the Committee on Claims submitted the following report.

MR. SPEAKER—Your Committee on Claims to whom was referred the claim of Saul Davis & Co., for buildings erected in penitentiary yard for their own convenience have instructed me to report the same back to the house with the following amendments.

1. That there be *no* appropriation for the smith shop now, for the reason that the State furnished all the shop room without that shop that their contract called for, but have no doubt that when their contract for labor expires the State will pay what the shop is then worth.

2. For the foundry we recommend that there be an appropriation of sixteen hundred dollars in the general appropriation bill, conditioned that when said Saul Davis & Co. relinquishes same amount of room in shop, No. 6, to-wit: 80 feet in length on first floor, south end, with the 25 hands named, then the Auditor shall draw his warrant on the treasurer for the said sixteen hundred dollars in favor of said Saul Davis & Co.

3. That for the scale there be appropriated one hundred and twenty-one dollars and twenty-two cents; all of which is respectfully submitted.

C. DUDLEY, *Chairman*.

The resolution offered by Mr. Butler yesterday in reference to relief for counties afflicted with railroads, and which was laid over under the rule, was taken up.

Mr. Harper moved that the resolution be indefinitely postponed.

Mr. Wilson moved that the resolution be laid on the table.

The motion prevailed.

Mr. Toliver from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

Senate File No. 12, A bill for an act to authorize the sale of lands and town lots for taxes in certain cases for an amount less than the taxes, interest and cost due thereon.

Senate File No. 82, A bill for an act to legalize the action of the board of supervisors of Story county, Iowa, in relation to the issuance of bonds to the amount of seven thousand dollars, for the purpose of purchasing land for a poor farm for the use of said county, and for the erection of buildings thereon.

Senate File No. 48, A bill for an act making further appropriation for the Deaf and Dumb Asylum.

Senate File No. 110, A bill for an act to provide information concerning the blind.

G. S. TOLIVER, *Chairman*.

Mr. Kasson from the Committee on Federal Relations submitted the following report:

MR. SPEAKER—Your Committee on Federal Relations to whom was referred joint resolution relative to the navigability of the Turkey river, beg leave to report the same back to the House with the recommendation that no action be had thereon, as they are of the opinion that this State possesses exclusive jurisdiction of the subject, and the intervention of Congress is not required.

JOHN A. KASSON, *Chairman*.

Mr. Kasson moved that the report and bill lie upon the table. The motion prevailed.

Mr. Kasson had leave to introduce House file No. 804, a bill for an act to amend section 1178 of the Revision of 1860, relating to incorporations. Read a first and second time and ordered engrossed.

Mr. Russell moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables,

Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sarnborn, Sater, Satterthwaite, Snow, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—87.

The nays were—none.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Gibbons, Harrington, Hopkins, Hopkirk, McCoun, Spencer, Stanchfield, Stewart, and Wood,—12.

So the bill passed and the title was agreed to.

Mr. Irish offered a Joint resolution in reference to a change of the pension laws. The resolution was adopted.

Mr. Williams moved that Mr. Haycock have leave to offer a resolution. The motion prevailed.

Mr. Haycock offered the following resolution :

WHEREAS, There are reports in circulation that undue influence, illegal and improper means have been used and attempted for the purposes of inducing and influencing some members of this House to vote for and support the bill known as the Capitol Appropriation bill, therefore,

*Resolved*, That a committee of five be appointed by the Speaker, with power to send for persons and papers, whose duty it shall be to investigate such reports and ascertain if possible the facts and truth in relation thereto, and report at as early a day as practicable the result of their investigation.

Mr. Wright of Sac moved to amend the resolution by striking out "5" and inserting "7." The motion prevailed.

Mr. Kasson moved to amend by striking out the words "some members," and inserting the words "Mr. Haycock." The motion prevailed.

Mr. Sater moved to amend by inserting at the end of the resolution the following: "And if any information comes to the knowledge of the committee showing that other parties have been corruptly approached they shall have power to investigate the same."

Mr. Kasson moved to amend the amendment as follows: "strike out the words "any information comes to the knowledge of the," and insert "testimony is elicited in investigation before the."

Mr. Kasson moved the previous question, which was seconded, and the main question ordered.

The question being on the adoption of the amendment offered by Mr. Kasson, the motion prevailed, and the amendment to the amendment was adopted.

The question recurring upon the resolution, as amended, the motion prevailed and the resolution was adopted.

The Speaker appointed as a committee of investigation, Messrs. Pratt, Cutts, Mills, Wright of Sac, Wright of Allamakee, Wilson, and Miles of Washington.

Mr. Lee introduced House File No. 305, A bill for an act to repeal section 8, of chapter 171, of the acts of the Twelfth General Assembly. Read a first and second time, and referred to Committee on Elections.

#### SPECIAL ORDER.

The hour having arrived for the consideration of the special order, House File No. 17, A bill for an act authorizing the re-survey of lands in certain cases, and prescribing rules, duties, and powers of county surveyors, it was taken up.

Mr. Rowell moved that the bill be considered by sections. The motion prevailed.

Mr. Harper moved that the amendment recommended by the Committee be adopted. The motion prevailed.

Mr. Green, from the Committee on Constitutional Amendments, presented the following reports :

#### MINORITY REPORT.

MR. SPEAKER—Your Committee on Constitutional Amendments, to whom was referred a House resolution that the Committee on Constitutional Amendments be instructed to inquire into the expediency of reporting to the House a joint resolution to amend the Constitution, so as to confer upon women the right to vote and hold office in Iowa, have had the same under consideration, and the minority of said committee have instructed me to introduce the accompanying joint resolution to provide for due reference and publication of a proposal to amend the Constitution of the State of Iowa, so as to confer upon women the right of suffrage.

A. H. STUTSMAN,  
O. O. STANCHFIELD,  
J. W. GREEN, *Chairman*.

#### MAJORITY REPORT.

A majority of your committee have instructed me to report the same back to the House, with the recommendation that it is inexpedient for this General Assembly to take any steps toward a change in the Constitution of this State, so as to allow women the right of suffrage.

M. E. CUTTS,  
H. O. PRATT,  
J. HOBSON.



Mr. Cutts moved to change the special order for to-night to next Tuesday, at 2 o'clock.

The motion prevailed.

Mr. Traer, by leave, introduced House File No. 306, A bill for an act to authorize the Vinton Water Power Company to construct a dam across Cedar river, in Taylor or Cedar township, Benton county.

Read a first and second time and referred to the Committee on Federal Relations.

Mr. Mills moved that the House adjourn.

The motion prevailed.

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TWO O'CLOCK P. M.

The House met pursuant to adjournment.  
Speaker in the chair.

The question was upon the motion of Mr. Harper to concur in the amendments offered by the Committee to House File No. 17, A bill for an act authorizing the re-survey of lands in certain cases and prescribing rules, duties, and powers of County Surveyors.

The motion to amend prevailed.

Mr. Rowell moved to amend section eight, line four, as follows: Strike out the words "random and" and in the fifth line the words "and the outcome of the random lines;" at the end of the fourth line before the word "the" insert the word "and." The motion prevailed.

Mr. Stutsman moved to amend section 9, by striking out after the word "meridian" the words "and the surveyor shall frequently observe and record in his field-book the variations of the needle from such meridian, and shall from time to time make new observations on the north star and record the results."

The motion did not prevail.

Mr. Russell offered the following substitute for the bill now pending, a bill for an act to define the manner by which the re-survey of land shall be made.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in the re-survey and subdivision of lands by county surveyors, their deputies or other person, the rules prescribed by acts of Congress and instructions of the Secretary of the Interior shall be in all respects followed.

The motion prevailed and the substitute was adopted.

Mr. Rowell moved that the substitute lie on the table.

The motion did not prevail.

Mr. Sanborn moved to amend as follows :

SECTION 2. Said Rules and Regulations shall be published in pamphlet form, under direction of the Register of the State Land Office, and one copy furnished each County Surveyor.

The motion prevailed.

Mr. Dunne moved that the rule be suspended and the bill read the third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrington, Harrison, Hartenbower, Haycock, Hobson, Hood, Huff, Hunter, Irish, Keables, Lee, Lommen, Marks, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rosser, Russell, Sanborn, Sater, Snow, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—68.

The nays were—

Messrs. Evans, Hartshorn, Hirschler, Jones, Ketcham, Lacey, McGavren, Murdock, Rogers, Rowell, Stanchfield, Tufts, Warner—13.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Crawford, Day, Faville, Green, Harrington, Hopkins, Hopkirk, Kasson, Mahin, McCoun, Mills, Miracle, O'Donnell, Rohlf, Satterthwaite, Spencer, Stewart, Williams, Wood—28.

So the bill passed and the title was agreed to.

Mr. Irish moved to take up Senate File No. 87, A bill for an act regulating the appointment and duties of State Librarian and of a Board of Commissioners.

The motion prevailed.

Mr. Stutsman moved to strike out all after the word "add" in the second line of the 14th section, and add thereto the following : "by consent of the judges of the Supreme Court, the room now used as the Supreme Court room.

Mr. Brown, of Van Buren, moved to strike out sections 13, 14, 15, and 16 of said bill.

The question being on the amendment offered by Mr. Stutsman, the motion prevailed.

The question recurring upon the amendment offered by Mr. Brown, of Van Buren.

The motion did not prevail.

Mr. Macey moved to strike out the 14th, 15th, and 16th sections.

Messrs. Brown, of Van Buren and Irish demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Ball, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Carver, Cutts, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Harper, Harrison, Haycock, Huff, Lacey, Lee, Lommen, Miles of Washington, Millard, Miracle, Morrison, Newbold, Norris, Rosser, Sanborn, Sater, Stone, Tait, Taylor, Teale, Toliver, Traer, Wright of Sac—38.

The nays were—

Messrs. Bell, Bundy, Campbell, Carpenter, DeGroat, Dickerson, Gibbons, Green, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hunter, Irish, Jones, Keables, Ketcham, Marks, McGavren, Merritt, Miles of Wayne, Miller, Murdock, Noel, Pratt, Rogers, Rowell, Satterthwaite, Snow, Stanchfield, Stutsman, Swan, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—39.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Crawford, Day, Evans, Harrington, Hopkins, Hopkirk, Kasson, Mahin, McCoun, Mills, O'Donnell, Parsons, Rohlf, Russell, Spencer, Stewart, Williams, and Wood—22.

So the motion to amend did not prevail.

Mr. Dudley moved to amend by striking out the first section of the bill and inserting the following: "That a State Librarian shall be chosen by the people at the general election in 1870, and every two years thereafter, who shall hold his office for two years and until his successor is elected and qualified."

Mr. Traer moved to amend the amendment by striking out the first part of the section down to and including the word "1870," and inserting "That this General Assembly, in joint session assembled, and each succeeding General Assembly shall elect."

The motion did not prevail.

Mr. Irish moved that the House adjourn.

Mr. Rogers moved the previous question, which was not seconded.

The question recurring on the amendment offered by Mr. Dudley, Messrs. Dudley and Brown of Van Buren demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Ball, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Huff, Hunter, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—67.

The nays were—

Messrs. Bell, Butterfield, Faville, Hobson, Irish, Jones, Keables, Ketcham, Merritt, Murdock—10.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Crawford, Day, Green, Harrington, Hopkins, Hopkirk, Kasson, McCoun, Mills, Miracle, O'Donnell, Parsons, Pratt, Rohlf, Spencer, Stewart, Williams, and Wood—22.

So the motion prevailed.

Mr. Stone moved to amend as follows : strike out all after the enacting clause and insert the following : "There shall be appropriated out of the State Treasury the sum of a \$1,000 annually, to be expended under the direction of the Judges of the Supreme Court, in increasing the number of volumes in the State Library."

The motion prevailed.

Mr. Irish moved to refer the bill with amendments to Committee on State Library.

Mr. Harper moved to lay the bill on the table.

The motion prevailed.

Mr. Irish offered the following resolution :

*Resolved*, That the Committee on Elections be instructed to propose a bill providing for the election of Warden of the Penitentiary, State Binder, and State Printer, by the people.

Mr. Lacey moved to amend by striking out the words "State Binder and State Printer," and adding to the bill "also provide for the State printing and binding to be done by contract by the lowest bidder."

Mr. Stone moved to refer to Committee on Ways and Means.

Mr. Toliver from the Committee on Enrolled Bills presented the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

House File No. 184, A bill for an act to encourage immigration to the State of Iowa.

House File No. 250, A bill for an act to legalize the tax levy of the district township of Toledo and independent district of Toledo, in Tama county, for the year 1869.

G. S. TOLIVER, *Chairman*.

Leave of absence was granted Mr. Williams, on account of sickness, for one week.

Messrs. Millard and Carver were granted leave to record their votes on House File No. 295, "Yea."

Mr. Applegate moved that the House adjourn.

Messrs. Irish and Rowell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Bundy, Campbell, Carpenter, Carver, Cutts, Dickerson, Dunne, Durham, Elbert, Faville, Harrison, Haycock, Hobson, Huff, Keables, Lee, Pratt, Sanborn, Stone, Stutsman, Swan, Tait, and Traer—28.

The nays were—

Messrs. Brown of Van Buren, Butler, Butterfield, DeGroat, Dudley, Dumont, Evans, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hirschler, Hood, Hunter, Irish, Jones, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rogers, Rosser, Rowell, Russell, Sater, Satterthwaite, Snow, Stanchfield, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—52.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Crawford, Day, Harrington, Hopkins, Hopkirk, Kasson, McCoun, Mills, O'Donnell, Parsons, Rohlf, Spencer, Stewart, Williams, and Wood.—19.

So the motion did not prevail.

The question recurring on the amendment proposed by Mr. Lacey. The motion was lost.

The question recurring on the resolution offered by Mr. Irish, it was adopted.

On motion of Mr. Irish the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 23, 1870.

The House met pursuant to adjournment, the Speaker in the chair.  
Prayer by Rev. W. W. Merritt.

The Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill and joint resolution, in which the concurrence of the House is asked.

Senate File No. 121, A bill for an act changing the time of holding the District Court at Keokuk, Lee county.

Senate File No. 192, A bill for an act to legalize the organization and election of officers and acts of the city of Waterloo, as a city of the second class.

Preamble and joint resolution relative to a loan of \$15,000 to the College of physicians and surgeons at Keokuk.

I also return herewith the following resolutions, in which the Senate has concurred :

That, relating to furnishing the department of agriculture at Washington, with a copy of the geological survey of the State of Iowa.

That, authorizing the Commissioners of State Library to procure back volumes of the American Naturalist.

JAMES M. WEART, *Secretary.*

#### PETITIONS AND REMONSTRANCES.

Mr. Lee presented the petition of George Warne and one hundred and two citizens of Buchanan county, asking a repeal of section 8, chapter 171, of the Twelfth General Assembly, in relation to the registering of voters at elections. Referred to the Committee on Elections.

Mr. Rohlf's presented a memorial from the Board of Directors of the independent school district of the city of Davenport, in regard to the election of Treasurer. Referred to the Committee on Schools.

Mr. De Groat presented the remonstrance of J. Hilsinger and one hundred and fifty-five other citizens of Jackson county, against a division of the Tete Des Morts land grant. Referred to the Committee on Railroads.

Mr. Stewart presented a petition to abolish the General Term of Courts. Referred to the Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Toliver, from the Committee on Enrolled Bills, presented the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

Senate File No. 220, A bill for an act to authorize Thomas Mitchell and others to cut a canal across a strip of land to straighten the Des Moines river.

Joint resolution asking increased mail facilities on certain routes in Iowa.

G. S. TOLIVER, *Chairman.*

Mr. Tufts, from the Committee on Intemperance, presented the following report:

**MR. SPEAKER**—Your Committee on Suppression of Intemperance to whom was referred House File No. 244, A bill for an act supplemented to an act to amend the laws in reference to the sale of intoxicating liquors, approved April 2nd, 1862, report back to the House a substitute, and recommend that the substitute do pass.

TUFTS, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Hood introduced House File No. 307, A bill for an act to create a fund for dykeing or leveling portions of certain rivers and streams within this State, to prevent overflow and inundation, and to reclaim certain lands. Read a first and second time and referred to the Committee on Internal Improvements.

Mr. Arnold introduced House File—, A bill for an act allowing persons owning mills, stone quarries, and coal-mines, where they desire to connect with railways by track, to obtain right of way over and across private property, and for the assessment of damage therefor. Read a first and second time and referred to the Committee on Railroads.

Mr. Arnold introduced House File No. 309, A bill for an act to authorize the widows, heirs, devisees, or personal representatives of deceased persons to maintain an action for property, fraudulently conveyed by the decedent. Read a first and second time and referred to the Committee on Judiciary.

#### MESSAGE ON SPEAKER'S TABLE.

Substitute for House File No. 115, A bill for an act entitled an act to legalize the organization of the Red Jacket Fire and Hose Companies in the town of Waterloo, and the Waterloo Hook and Ladder Company, was taken up.

On the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Van Buren, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite,

Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—86.

The nays were none.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Day, Faville, Gibbons, Harrington, Kasson, Parsons, Snow, Trear—12.

Senate File No. 17, A bill for an act to further define the duties of County Auditor, and authorize him to appoint a Deputy.

Read a first and second time and referred to the Committee on County and Township Organizations.

Senate File No. 141, A bill for an act authorizing the Register of the State Land Office to convey to A. E. Haskell certain seats in Estherville, Iowa.

Read a first and second time and referred to the Committee on Claims.

Senate File No. 121, A bill for an act changing the time of holding the District Court at Keokuk, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

Joint Resolution relative to a loan of \$15,000 to the College of Physicians and Surgeons at Keokuk.

Mr. Harper moved the adoption of the resolution.

The motion prevailed.

Senate File No. 192, A bill for an act to legalize the organization and election of officers, and other acts of the City of Waterloo, as a city of the second class.

Read a first and second time.

Mr. Wasson moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were:—

Messrs. Applegate, Ball, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dunne, Durham, Evans, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—81.

The nays were none.



Absent or not voting—

Messrs. Arnold, Beatty, Bell, Beresheim, Christoph, Day, Dumont, Elbert, Faville, Gibbons, Harrington, Irish, McCoun, Parsons, Satterthwaite, Snow, Traer, and Williams—18.

Mr. Applegate moved to take up House File No. 294, a bill for an act to legalize the election of Sub-District Director, in township school district of Grant, Cass county, Iowa.

The motion prevailed.

Mr. Applegate moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sater, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tutts, Warner, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—78.

The nays were none.

Absent or not voting—

Messrs. Arnold, Beatty, Beresheim, Christoph, Elbert, Gibbons, Harrington, Irish, McCoun, Merritt, Morrison, Murdock, Parsons, Sanborn, Satterthwaite, Snow, Spencer, Traer, Wasson, Williams, Wilson—21.

So the bill passed and the title was agreed to.

Mr. Pratt offered the following resolution :

*Resolved*, That the Select Committee to investigate the charge of attempts to corrupt members of this House, have leave to sit during the sessions of the House, and that the Sergeant-at-Arms be directed to attend upon the committee.

Mr. Murdock moved to amend that the Committee be required to report by Monday morning.

The motion did not prevail.

The resolution was adopted.

Mr. Brown of Fayette, moved to take up House File No. 248, A bill for an act authorizing incorporated cities and towns to relinquish their interest in public squares or other public dedications under their control.

The motion prevailed.

The amendment by the Committee was not agreed to.

Mr. Miracle moved to amend as follows :

After the word "heirs" in the third line of section three, insert "and upon the recording of such relinquishment in the office of the Recorder of the county in which public square or other public ground is situated."

Insert after the word "and" in the same line, the word "upon."

The motion prevailed.

Mr. Rogers moved to recommit to the Committee on Incorporations.

The motion prevailed.

Mr. Irish, by leave, introduced House File No. 310, A bill for an act to define the rights of church corporations in certain cases. Read a first and second time and referred to Committee on Incorporations.

Mr. Miracle from the Committee on Incorporations, submitted the following report :

MR. SPEAKER—Your Committee on Incorporations to whom was referred Substitute for Senate File No. 36, A bill for an act to authorize the improvements of streets and alleys, have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House, with the recommendation that it do pass. They are of the opinion, however, that while the general provisions of the bill are desirable, yet, that it might be improved by amendment.

They further believe that if so improved by amendment, it can not pass the Senate, and believing that it is their duty and that of the House to facilitate, rather than impede and prevent, wholesome legislation, and in order to save to the people of the State the benefits of the main features of the bill, they have determined to recommend it as it is.

J. D. MIRACLE, *Chairman*.

Mr. Traer, from the Committee on Ways and Means, (by leave) presented the following reports :

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House File No. 302, a bill for an act to create a State Board of Examiners, and to define their duties, beg leave to report the same back to the House, with the accompanying substitute, which they recommend do pass.

TRAER, *Chairman*.

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred House file No. 186, A bill for an act to repeal sections 9 and 10, chapter 61, Laws of the Eleventh General Assembly, relating to the assessment of real estate in alphabetical order, beg leave

to report the same back to the House with the recommendation that it be indefinitely postponed.

TRAER, *Chairman*.

Mr. Mills moved to take up the Special Order, House File No. 197, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable rates of tariff for the transportation of certain freight thereon.

The motion prevailed.

Mr. Mills moved that the amendments adopted by the Committee be adopted.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for Senate File No. 20, A bill for an act to repeal sections 16, 17, 18, 19, 20, 21, 22 and 24 of chapter 86 of the acts of the Twelfth General Assembly and providing for appeals from the District and Circuit Courts, and for fixing the time for holding Circuit Courts.

Senate File No. 142, A bill for an act relative to the claim of S. A Robertson for work done on the State House.

Senate File No. 195, A bill for an act amending chapter 59 of the laws of the Twelfth General Assembly, and regulating the punishment of juvenile offenders.

Senate File No. 196, A bill for an act to amend section 2833 of the Revision.

Also a substitute for House File No. 173, A bill for an act authorizing counties to build bridges, with the following amendment in which the concurrence of the House is asked:

Insert in first line of section one, after the word "that," the words "the Board of Supervisors of."

JAMES M. WEART, *Secretary*.

Mr. Pratt moved that the House adjourn.

The motion prevailed.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the Chair.

Mr. Toliver moved to take from the table House File 67, A bill

for an act to amend section 3293 of chapter 125 of Revision of 1860.

The motion prevailed.

On motion of Mr. Toliver the bill was referred to the Committee of Ways and Means.

The House resumed consideration of House File No. 197.

Leave was granted Mr. Miracle to offer a Joint Resolution in relation to the Onawa Branch of the Cedar Rapids and Missouri River Railroad. Which was referred to the Committee on Judiciary.

Mr. Russell moved that the bill under consideration be made the special order for to-morrow morning at 9 o'clock, and that special order House File 182, A bill for an act to provide for the completion of the centre building, the north wing, rear centre building, &c., for to-morrow, be made special order for Monday, March 28th, at 9 o'clock A. M.

The motion prevailed.

Leave of absence was granted Mr. Miracle on account of sickness.

On motion of Mr. Irish, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
March 24, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. H. J. Bowman, for Rev. L. Schobert.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 181, A bill for an act for the improvement of the Penitentiary and to provide for salary and compensation of the Warden.

JAMES M. WEART, *Secretary*,

On motion of Mr. Dudley, Senate File No. 181, A bill for the improvement of the Penitentiary and to provide for salary and compensation of the Warden, was taken up.

Read a first and second time and referred to Committee on Ways and Means.

Leave was granted Mr. Bell to present a petition from C. O. Bander and other citizens of Lee county, against the Capital appropriation, which was placed on file.

Mr. Harper presented a petition of Frederick Riese and other citizens of Des Moines county, asking that the property of Railroad Corporations be taxed as other property, which was placed on file.

Mr. Mahin presented a petition of Nathan Gaskill and 392 other citizens of West Liberty, Muscatine county, praying for a law prescribing rates and tariff on railroads.

Placed on file.

Mr. Stanchfield presented a remonstrance from citizens of Cedar Rapids, protesting against the passage of a law regulating railroad freights.

Placed on file.

#### REPORTS OF COMMITTEES.

Mr. Brown of Van Buren, from the Joint Committee to visit the Deaf and Dumb Asylum at Iowa City, submitted the following report:

(See appendix.)

Mr. Lacey, from the Special Committee on Drainage Laws, to whom was referred House Files Nos. 59 and 98, A bill for an act to provide for the drainage of land, have prepared a substitute therefor, and report the same back to the House, with the recommendation that the substitute do pass.

JOHN F. LACEY, *Chairman.*

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

House File, No. 250, A bill for an act to legalize the tax levy of the district township of Toledo and the independent district of Toledo, in the townshig of Toledo, in Tama county, for the year 1869.

House File No. 115, A bill for an act entitled an act to legalize the organization of the Red Jacket Fire and Hose Company, in the town of Waterloo, and the organization of the Waterloo Hook and Ladder Company.

G. S. TOLIVER, *Chairman.*

On motion of Mr. Stanchfield, substitute for House File No. 173, A bill for an act to authorize counties to build bridges, was taken from the Senate Messages, and on the adoption of the Senate amendment the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—87.

The nays were—

Mr. Dudley—1.

Absent or not voting—

Messrs. Arnold, Christoph, Harrington, Hirschler, Kasson, McCoun, Mills, Parsons, Traer, Wasson, and Williams—11.

So the Senate amendments were concurred in.

On motion of Mr. Dunne, House File No. 311, A bill for an act to legalize the action of the board of supervisors of Jackson county, was taken up and read a first and second time.

On motion of Mr. Dunne the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—81.

The nays were—

Messrs. Harper, Ketcham, and Sater—3.

Absent or not voting—

Messrs. Arnold, Beresheim, Christoph, Harrington, Harrison, Kasson, McCoun, Mills, Miracle, Parsons, Satterthwaite, Taylor, Traer, Wasson, and Williams—15.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, House File No. 292, A bill for an act to legalize the incorporation of the town of Mason City, Iowa, and the election of officers of said incorporation, also to legalize the acts of *de facto* officers, was taken up.

On motion of Mr. Hartshorn, the bill was considered engrossed for a third reading.

On motion of Mr. Irish, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Sac, and Mr. Speaker—85.

The nays were—none.

Absent or not voting—

Messrs. Arnold, Christoph, Day, Faville, Harrington, Kasson, McCoun, Parsons, Swan, Taylor, Traer, Wasson, Williams, and Wright of Allamakee.—15.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Green to introduce House File No. 312, A bill for an act to amend section 7, chapter 169, of the laws of the Ninth General Assembly, in relation to contracts between railroad companies and their employees. Read a first and second time and referred to the Committee on Judiciary.

Mr. Lacey moved to take up Senate File No. 20, A bill for an act to repeal sections 16, 17, 18, 19, 20, 21, 22, and 24, of chapter 86, of the acts of the 12th General Assembly, and providing for appeals from the District and Circuit Courts to the Supreme Court, and for fixing the time for holding Circuit Courts.

The motion prevailed, and bill was read first and second times.

Mr. Lacey moved to add to section 4 the following:

"And in all cases wherein the Judges of either Court have reserved their decision, under section 22 of chapter 86, acts of the Twelfth General Assembly, and said General Term Court has not yet acted thereon, the said causes shall be returned to the Court in which said causes have originated; but in such cases where appeals

have been taken to the Supreme Court, after the General Term Court has rendered a decision thereon, then the Supreme Court shall hear and determine the same, with the same force and effect as provided in chapter 86 aforesaid.

Mr. Rowell moved to substitute as follows :

SECTION 1. That the Court now known as the General Term Court be, and the same hereby is, abolished.

SEC. 2. Appeals shall hereafter be taken from the District and Circuit Courts to the Supreme Court of the State, and they shall be taken in the same manner, within the same time, and with the same effect, as they were taken from the District Court before the passage of Chapter 86, acts of the Twelfth General Assembly.

The amendment proposed by Mr. Lacey was adopted.

On motion of Mr. Lacey, the rule was suspended and the bill was read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold, Norris, O'Donnell, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale Toliver, Traer, Tufts, Warner, Wilson, Wood, and Mr. Speaker.—77.

The nays were—

Messrs. Crawford, Dunne, Gibbons, Murdock, Noel, Pratt, Rowell, Wright of Allamakee, Wright of Sac—9.

Absent or not voting—

Messrs. Christoph, Dumont, Faville, Harrington, Haycock, Hobson, Lommen, McCoun, Miracle, Parsons, Taylor, Wasson, Williams—14.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 16, A bill for an act appropriating funds to the State University of Iowa.

J. A. T. HULL, *First Assistant Secretary.*



On motion of Mr. Irish, Special Order, House File No. 197, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon, was taken up.

Leave was granted Messrs. Pratt, Dumont, Butterfield, Warner, and Russell, to present petitions from citizens of their respective counties, asking the enactment of such law as will fix, at least, upon all land grant railroads in the State a maximum of freight charges. They shall be allowed to make and to adopt such measures as, while just to the railroads, shall be effective to correct present abuses. Which was placed on file.

Mr. Toliver, from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills, ask leave to report that they have examined the following bill, and find the same correctly enrolled:

House File No. 16, A bill for an act appropriating funds to the State University of Iowa.

G. S. TOLIVER, *Chairman*.

Leave of absence was granted Mr. Taylor,

Mr. Faville presented a petition from the citizens of Osage county, asking that a law be passed to fix the rates of tariff for the transportation of freights on land grant railroads, which was placed on file.

On motion of Mr. Mills, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

Leave was granted Messrs. Rohlfs, and Miles, of Washington, to present petitions from their respective counties asking the passage of a law fixing the rates of tariff for the transportation of freight on land grant railroads, which were placed on file.

The House resumed the consideration of House File No. 197.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked.

Senate File No. 90, A bill for an act to amend chapters 52 and 53, of Revision of 1860, in relation to Corporations.

Senate file No. 147, A bill for an act to legalize the erection of Sub-District No. 3, in Perry township, Marion county, Iowa.

Senate File No. 167, A bill for an act to legalize the acts of the Independent School District of Monona, Iowa.

Also the following, which have passed the Senate with amendments, in which the concurrence of the House is asked :

Substitute for House File No. 103, A bill for an act to provide for the funding of county indebtedness, and for the payment thereof, amended by inserting in first line of Section 1, after the word "State," the words, "having a population exceeding three thousand inhabitants."

By striking out in third line of section 1, after the words "majority vote of," and inserting the words, "vote of two-thirds."

By inserting in fourth line of section 2, before the word "indebtedness," the words, "any legal."

Fifth line of same section by striking out the word "January," and inserting "May."

House File No. 201, An act to legalize the acts of Ashford B. Elwood, a Deputy Recorder of Montgomery county, Iowa, with the following amendments :

By inserting at end of preamble the word "therefore."

By inserting in fifth line of section 1, after the word "Recorder," the words "of Montgomery county, Iowa."

I also return herewith the following bill, which has passed the Senate without amendment :

House File No. 201, A bill for an act to legalize the sale of certain lands by Polk county.

JAMES M. WEART, *Secretary.*

Mr. Teale moved the previous question, which was not seconded.

Leave was granted Mr. Applegate to present a petition from 528 citizens of Scott county, asking the passage of a law to regulate the price of freights and tariffs on railroads having land grants. Placed on file.

Leave was granted Messrs Sanborn, Tait, Irish, Harper, Hartenbower, Millard, Mahin, Morrison, Crawford, O'Donnell, Green, and Traer to present petitions from citizens of their respective counties asking the passage of a law regulating tariff on land grant railroads, which were placed on file.

Mr. Dudley moved to strike out all after the enacting clause, except the publishing clause, and insert the following :

It shall be unlawful for any railroad company in this State to charge more for freight and passengers for a given distance from the starting point of said freight or passengers to the stopping point of

said freight or passengers on one part of the road, than from the starting point of freight and passengers for the same or a less distance on any other part of the road. *Provided*, That the above act shall not be applied to freight and passengers transported the entire distance across the State.

SEC. 2. The Census Board, or a Commission of five appointed by them, shall have authority to investigate the whole subject of railroads, taxes, tariffs, discriminations, and all other subjects connected with the best interests of the State, and report to the next General Assembly their views, with facts and figures, on the best policy for the State to pursue towards her railroads.

Mr. Williams moved the previous question.

Mr. Russell moved a call of the House, which was ordered.

Leave of absence was granted Messrs. Wasson, Christoph, Brown of Fayette, Morris, Warner, and Arnold.

Mr. Applegate moved further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Sater moved that the House do now adjourn.

The motion was lost.

On motion of Wilson further proceedings under the call was dispensed with.

The previous question was not seconded.

Mr. Mills moved that the Special Order for to-morrow, House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, be made the Special Order for Thursday, March 31st, at 9 o'clock A. M., and that Special Order under consideration be made the Special Order for to-morrow at 9 o'clock A. M.

The motion prevailed.

Mr. Mills moved to amend second section in sixth line, by striking out the words "one hundred," and inserting "ninety-nine (99)," and by striking out "one hundred" in seventh line, and inserting "ninety-nine (99)."

The amendment was adopted.

Leave was granted Mr. Rohlf to introduce a resolution relating to additional compensation to J. B. Sibbolt, for the translation of the Governor's Biennial Message, which was referred to the Committee on Printing.

Leave was granted Mr. Day to introduce House File No. 313, A bill for an act to organize the county of Merrill, which was read first and second times and referred to the Committee on County and Township Organization.

On Motion of Mr. Evans the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 25, 1870. }

The House met pursuant to adjournment.

Speaker in the Chair.

Prayer by Rev. R. Turnbull.

Journal of yesterday read and approved.

On motion of Mr. Keables, Senate file No. 147, A bill for an act to legalize the erection of Sub-District No. 3, in Perry township, Marion county, Iowa, was taken up and read a first and second time.

On motion of Mr. Keables, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McCoun, McGavren, Miles of Washington, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—80.

The nays were none.

Absent or not voting—

Messrs. Arnold, Christoph, Harper, Harrington, Haycock, Irish, Kasson, Lee, Merritt, Miles of Wayne, Miracle, Parsons, Rowell, Spencer, Taylor, Traer, Tufts, Wasson, and Williams—19,

So the bill passed and the title was agreed to.

Mr. Brown, of Fayette, presented a petition from citizens of Fort Madison, Iowa, praying for an increase of the wages or *per diem* of the guards of the Iowa Penitentiary.

Referred to the Committee on Compensation of Public Officers.

Mr. Carver presented a petition from the electors of the Independent School District of Kirkville, Wapello county, asking the legalization of the acts of the board of said sub-district.

Referred to Committee on Schools.

Messrs. Campbell, Rohlf, Wright, of Allamakee, Tait, Ketcham, Tufts, Hopkins, and others, presented petitions asking for the passage of a law regulating the freights on railroads. Placed on file.

Mr. Stanchfield, from the Committee on State University, submitted the following report :

MR. SPEAKER—Your Committee on State University, to whom was referred Senate File No. 179, a bill for an act to abolish the Medical Department of the State University, beg leave to report the same back to the House, with the recommendation that it do not pass.

O. O. STANCHFIELD, *Chairman*.

MR. SPEAKER—Your Committee on State University, to whom was referred House File No. 296, A bill for an act for the government of the State University, beg leave to report the same back to the House, with the recommendation that it do pass.

O. O. STANCHFIELD, *Chairman*.

MR. SPEAKER—Your Committee on State University, to whom was referred House File No. 271, A bill for an act to defray the expenses of the State Historical Society, beg leave to report the same back to the House, with the recommendation that it do pass with the following amendment:

Strike out all of section 3, and substitute therefor the following:

There shall be delivered to said Society not to exceed eighty bound copies of the books and documents published by the State, for the purpose of effecting exchange with similar societies in other States, and for the purpose of preservation in the library of said Society.

O. O. STANCHFIELD, *Chairman*.

Leave was granted Mr. Huff to introduce House File No. 314, A bill for an act to legalize the acts of the Trustees, Mayor, and Recorder of the town of Iowa Falls.

Read a first and second time, and ordered to be engrossed for a third reading.

On motion of Mr. Huff, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bell, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutz-

man, Swan, Tait, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—81.

The nays were—

Mr. Evans—1.

Absent or not voting—

Messrs. Arnold, Ball, Christoph, Harrington, Kasson, Lee, Merritt, Miracle, McCoun, Miles of Wayne, Parsons, Rowell, Spencer, Taylor, Traer, Wasson, and Williams—17.

So the bill passed and the title was agreed to.

Leave was granted Mr. Bundy to introduce House File No. 315, A bill for an act to legalize the proceedings of the regular annual meeting of electors of the independent school district of Vandalia, Jasper county, Iowa.

Read first and second time, and ordered engrossed for a third reading.

On motion of Mr. Bundy, the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—82.

The nays were—

Messrs. Evans and Sater—2.

Absent or not voting—

Messrs. Arnold, Brown of Fayette, Christoph, Harrington, Haycock, Lee, McCoun, Merritt, Miles of Wayne, Parsons, Spencer, Taylor, Traer, Wasson, and Williams—15.

So the bill passed and the title was agreed to.

On motion of Mr. Irish, House File No. 256, A bill for an act to enable Justices of the Peace to procure a copy of Conklin's Iowa Justice, was taken up and referred to the Committee on Judiciary.

Leave of absence was granted Mr. Spencer on account of sickness.

Leave was granted Mr. Carver to introduce House File No. 316, A bill for an act to legalize the tax levy and election of the Independent District of Kirkville, Wapello county, Iowa.

Read a first and second time and referred to Committee on Schools.

Leave was granted Mr. Gibbons to call up House File No. 113, A bill for an act in relation to omnibuses, transfer companies, and common carriers generally.

On motion of Mr. Russell the publication clause was stricken out.

The bill was ordered engrossed and read a third time.

Mr. Wilson moved the bill be referred to the Railroad Committee.

The motion did not prevail.

On motion of Mr. Applegate the rule was suspended and the bill was read a third time.

Upon the question shall the bill pass the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutta, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Evans, Faville, Gibbons, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Swan, Tait, Teale, Toliver, Tufts, Warner, Wood, Wright of Allamakee, Wright of Sac—77.

The nays were—

Messrs. Elbert, Rogers, Stutsman and Mr. Speaker—4.

Absent or not voting—

Messrs. Arnold, Christoph, Dudley, Green, Harrington, Haycock, Lee, McCoun, Merritt, Parsons, Pratt, Rowell, Spencer, Taylor, Traer, Wasson, Williams and Wilson—18.

Leave was granted Mr. Faville to introduce House File No. 317, A bill for an act to amend section 664 of the Revision. Which was read a first and second time and placed on file.

The hour having arrived for consideration of Special order House File No. 197, A bill for an act to prescribe rules and regulations for railroads, and to establish uniform and reasonable rates of tariff for the transportation of certain freights thereon.

On motion of Mr. Mills the special order was taken up.

The question recurring on the amendment offered by Mr. Dudley.

Mr. Stutsman moved to amend the amendment by adding a new section. Which was adopted.

SEC. 3. That any number of persons belonging to any such corporation or company, or any agent or employe thereof, who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not to exceed one hundred dollars, or by imprisonment in the county jail not to exceed thirty days, and shall be liable for any damages sustained by any person or persons by reason of such violation, to be recovered by civil action against such railroad company or corporation.

On motion of Mr. Wright, of Sac, the House adjourned.

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TWO O'CLOCK, P. M.

The House resumed the consideration of the Special Order.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 140, A bill for an act to amend section 3275, of Revision of 1860, as to the duties of certain treasurers.

House File No. 173, A bill for an act authorizing counties to build bridges.

G. S. TOLIVER, *Chairman*.

Mr. Millard moved the previous question, which was seconded.

The question recurring on the amendment proposed by Mr. Dudley, Messrs. Dudley and Applegate demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Beresheim, Campbell, Carpenter, Carver, Cutts, Day, Dudley, Durham, Faville, Green, Hobson, Huff, Hunter, Keables, Lacey, McGavren, Miller, Norris, Rogers, Rosser, Rowell, Satterthwaite, Stanchfield, Stone, Teale, Wright of Sac, and Mr. Speaker.—27.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Crawford, DeGroat, Dickerson, Dumont, Dunne, Elbert, Evans, Gibbons, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkins, Hopkirk, Irish, Jones, Kasson, Ketcham, Lee, Lommen, Mahin, McCoun, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Morrison, Murdock, Newbold, Noel, O'Donnell,



Parsons, Pratt, Rohlf, Russell, Sanborn, Sater, Snow, Stewart, Stutsman, Swan, Tait, Toliver, Traer, Tufts, Wilson, Wood, and Wright of Allamakee—61.

Absent or not voting—

Messrs. Arnold, Christoph, Harrington, Haycock, Marks, Merritt, Spencer, Taylor, Warner, Wasson, and Williams—11.

So the amendment was lost.

On ordering the bill engrossed for a third reading, Messrs. Wright of Sac, and Dudley demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carver, Crawford, Dickerson, Dumont, Dunne, Elbert, Evans, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hirschler, Hood, Hopkins, Hopkirk, Irish, Jones, Kasson, Ketcham, Lee, Lommen, Mahin, Miles of Washington, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Wilson, Wood and Wright of Allamakee—61.

The nays were—

Messrs. Beresheim, Butler, Campbell, Carpenter, Cutts, Day, DeGroat, Dudley, Durham, Faville, Green, Hartshorn, Hobson, Huff, Hunter, Keables, Lacy, Marks, McCoun, McGavren, Miller, Miracle, Rogers, Rowell, Stanchfield, Stone, Wright of Sac and Mr. Speaker—28.

Absent or not voting—

Messrs. Arnold, Christoph, Harrington, Haycock, Merritt, Spencer, Taylor, Warner, Wasson and Williams—10.

So the bill was ordered to be engrossed for a third reading.

On motion of Mr. Wilson the rule was suspended and the bill read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carver, Crawford, Dickerson, Dumont, Dunne, Elbert, Evans, Gibbons, Green, Harper, Harrison, Hartenbower, Hirschler, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Lommen, Mahin, Miles of Washington, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Wilson, Wood and Wright of Allamakee—62.

The nays were—

Messrs. Beresheim, Butler, Campbell, Carpenter, Cutts, Day,

DeGroat, Dudley, Durham, Faville, Hartshorn, Hobson, Huff, Keables, Lacey, Marks, McCoun, McGavren, Miller, Miracle, Rogers, Rowell, Stanchfield, Stone, Swan, Warner, Wright of Sac and Mr. Speaker.—28.

Absent or not voting—

Messrs. Arnold, Christoph, Harrington, Haycock, Merritt, Spencer, Taylor, Wasson and Williams—9.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Greene, Millard, Elbert, Miller, Tait, Chief Clerk, Miss Spencer, Engrossing Clerk, until Tuesday morning. On motion of Mr. Ketcham the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 26, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. C. Williams.

The journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Mahin, from the Committee on Printing, submitted the following report:

MR. SPEAKER—Your Committee on Printing, to whom was referred House File No. 12, a bill for an act to amend chapter 118 of the laws of the Eleventh General Assembly, beg leave to report the same back to the House, with the recommendation that it do not pass.

JOHN MAHIN, *Chairman.*

Mr. Toliver, from the Committee on County and Township Organizations, submitted the following report:

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred Senate File No. 17, A bill for an act to further define the duties of County Auditor, and authorize him to appoint a Deputy, beg leave to report the same back to the House, with the recommendation that it do pass with the following amendment:

Strike out the words "and 997" from the first line of the second section thereof, and add the following to said section: "and that section 997 of the Revision of 1860 be amended by striking out of the second and third lines thereof the words 'County Court may,

upon the request of the Clerk of the District Court," and inserting in lieu thereof the words, "County Auditor may."

G. S. TOLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred House File No. 813, A bill for an act to organize the County of Merrill, beg leave to report the same back to the House, with the recommendation that it do pass.

G. S. TOLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred House File No. 102, A bill for an act to make civil townships corporate bodies, beg leave to report the same back to the House, with the recommendation that it do pass with the following amendment, viz.: Add to section one thereof the following:

"The Township Trustees of each civil township shall be the officers of the corporation, and have full powers to act for their respective townships, and in all suits in which a civil township may be a defendant, notice shall be deemed sufficient if served upon said Trustees or a majority of them.

G. S. TOLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred House File No. 289, A bill for an act to amend section 1, of chapter 77, of the laws of the Ninth General Assembly, beg leave to report the same back to the House, with the recommendation that it do pass.

G. S. TOLIVER, *Chairman*.

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred Senate File No. 24, A bill for an act to legalize indices in the Recorder's office at Keokuk, Lee county, Iowa, beg leave to report the same back to the House, with the recommendation that it do pass.

G. S. TOLIVER, *Chairman*.

Leave was granted Mr. Campbell to present a petition from Lyman Bush and other citizens, asking the General Assembly to urge the establishment of a mail route, tri-weekly, from Atlantic, Cass county, to Carroll Center.

Referred to the Committee on Federal Relations.

Mr. Faville moved to take up House File No. 317, A bill for an act to amend section 664, of the Revision of 1860, and read a second time.

The motion prevailed, and the bill was ordered engrossed and read a third time.

On motion of Mr. Toliver, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Faville, Harper, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lommen, Mahin, Marks, McCoun, McGavren, Miles of Washington, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rogers, Rosser, Sanborn, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Toliver, Warner, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—67.

The nays were none.

Absent or not voting—

Messrs. Arnold, Crawford, Day, Elbert Evans, Gibbons, Green, Harrison, Haycock, Kasson, Ketcham, Lee, Merritt, Miles of Wayne, Millard, Miller, Miracle, Parsons, Pratt, Rohlf, Rowell, Russell, Sater, Snow, Spencer, Taylor, Teale, Traer, Tufts, Wasson, Williams, and Wilson—82.

So the bill passed and the title was agreed to.

Mr. Stanchfield moved to call up House File No. 85, A bill for an act to amend section 218 of the Revision of 1860.

The motion prevailed and the bill ordered to be engrossed and read a third time.

Leave of absence was granted Messrs. Evans and Rohlf on account of sickness.

On motion of Mr. Stanchfield, the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Dudley, Dumont, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stanchfield, Toliver, Traer, Warner, Wood, Wright of Sac and Mr. Speaker—56.

The nays were—

Messrs. Beresheim, Christoph, Cutts, Day, DeGroat, Dickerson,

Dunne, Hartenbower, Hartshorn, Hirschler, Lacey, McCoun, Murdock, Rowell, Stone, Stutsman, Swan, Wilson and Wright of Allamakee—18.

Absent or not voting—

Messrs. Arnold, Crawford, Day, Elbert, Evans, Green, Haycock, Huff, Lee, Lommen, Merritt, Millard, Miller, Parsons, Rohlf, Sater, Snow, Spencer, Stewart, Tait, Taylor, Teale, Tufts, Wasson, and Williams—25.

So the bill was passed and title was agreed to.

Leave was granted Mr. Jones to introduce House File No. 318, A bill for an act in relation to the fees of Justice of the Peace and Constables.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Harper, by leave presented a petition of Rev. Samuel Stors Howe, asking pay for services as Chaplain of the General Assembly of 1860.

Referred to the Committee on Claims.

Mr. Brown of Van Buren, moved to call up Senate File No. 92, A bill for an act to authorize the working of persons confined in the jails of the State, and to prisoners.

The motion prevailed and the bill was read a second time.

Mr. Wilson moved that the bill be laid on the table.

Mr. Wilson demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Bell, Bonewitz, Brown of Fayette, Butler, Butterfield, Cutts, DeGroat, Dickerson, Dumont, Dunne, Durham, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Keables, Lacey, McCoun, Russell, Sanborn, Swan, Traer, Wilson, Wright of Allamakee and Wright of Sac—26.

The nays were—

Messrs. Applegate, Ball, Beatty, Beresheim, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Christoph, Day, Dudley, Faville, Gibbons, Harper, Harrington, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Kasson, Ketcham, Lee, Lommen, Mahin, Marks, McGavren, Miles of Wayne, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Rowell, Satterthwaite, Stone, Stutsman, Toliver, Warner, Wilson, Wood, and Mr. Speaker—47.

Absent or not voting—

Messrs. Arnold, Crawford, Elbert, Evans, Green, Haycock, Jones, Merritt, Miles of Washington, Millard, Miller, Miracle, Murdock, Parsons, Rohlf, Sater, Snow, Spencer, Stanchfield, Stewart, Tait, Taylor, Teale, Tufts, Wasson and Williams—26.

So the motion did not prevail.

Mr. Cutts moved to strike out the second section.

The motion did not prevail.

Mr. Lacey moved to amend section two by adding—

Provided further that no ball and chain shall be used upon any prisoner while working upon streets or highways or other public places.

The motion did not prevail.

The bill was ordered engrossed and to be read a third time.

On motion of Mr. Dudley the rule was suspended and the bill was read a third time.

On the question shall the bill pass, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Christoph, Day, Dudley, Faville, Gibbons, Harper, Harrington, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Lommen, McGavren, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Satterthwaite, Stanchfield, Stewart, Toliver, Traer, Wood, Wright of Sac, and Mr. Speaker—51.

The nays were—

Messrs. Bonewitz, Butler, Butterfield, Cutts, DeGroat, Dickerson, Dunne, Durham, Harrison, Hartenbower, Hobson, Lacey, McCoun, Miles of Washington, Rowell, Russell, Sanborn, Stone, Stutsman, Swan, Warner, Wilson, Wright of Allamakee—28.

Absent or not voting—

Messrs. Arnold, Crawford, Dumont, Elbert, Evans, Green, Hartsorn, Haycock, Keables, Mahin, Marks, Merritt, Millard, Miller, Parsons, Rohlf, Sater, Snow, Spencer, Tait, Taylor, Teale, Tufts, Wasson, and Williams—25.

So the bill passed and the title was agreed to.

On motion of Mr. Murdock, House File No. 22, A bill for an act to regulate the execution and transfer of notes given for patent rights, was taken up and considered.

Mr. Lacey moved to amend by adding to section 2, "*Provided that the provisions of the foregoing shall not apply to notes given to dealers in agricultural implements, merchants, or other persons, where the consideration is a patented article and the property is delivered at or before the time the note is given.*"

The motion prevailed.

Mr. Sanborn moved to amend section 1, second line, after word "shall," insert "hereafter."

The motion prevailed.

The bill was ordered engrossed and to be read a third time.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Keables, Ketcham, Lacey, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stewart, Stone, Stutsman, Swan, Toliver, Traer, Warner, Wilson, Wood, and Mr. Speaker—68.

The nays were none.

Absent or not voting—

Messrs. Arnold, Crawford, Elbert, Evans, Green, Hartenbower, Haycock, Hirschler, Jones, Kasson, Lee, Mahin, Merritt, Millard, Miller, Miracle, Pratt, Sater, Snow, Spencer, Stanchfield, Tait, Taylor, Teale, Tufts, Wasson, Williams, Wright of Allamakee, and Wright of Sac—81.

So the bill passed and the title was agreed to.

On motion of Mr. Rogers, House File No. 120, A bill for an act to legalize the acts of Daniel Conrad, while acting as Justice of the Peace in Deep Creek township, Clinton county, was taken up and considered.

Mr. Parsons moved to add: "The same shall have the same force and effect as if said bond had been duly approved.

The motion prevailed.

On motion of Mr. Rogers, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stewart, Stone, Stutsman, Swan, Toliver, Warner, Wilson, Wood, and Mr. Speaker—63.

The nays were—

Messrs. Beresheim, Christoph, DeGroat, Hartenbower—4

Absent or not voting—

Messrs. Arnold, Crawford, Dumont, Elbert, Evans, Green, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Jones, Mahin, Merritt,

Millard, Miller, Miracle, Pratt, Rohlf, Sater, Snow, Spencer, Stanchfield, Tait, Taylor, Teale, Traer, Tufts, Wasson, Williams, Wright of Allamakee, Wright of Sac—32.

So the bill passed and the title was agreed to.

Leave was granted Mr. Murdock to introduce House File No 319 A bill for an act making appropriations for the State Agricultural College and Farm.

Read a first and second time, and placed on file and ordered printed.

On motion of Mr. Kasson, House File No. 103, A bill for an act to provide for the funding of certain county indebtedness and for the payment thereof, was taken up, and on the question of concurring in the Senate amendments, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Harper, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stewart, Stone, Stutsman, Swan, Toliver, Traer, Warner, Wilson, Wood, and Mr. Speaker—69.

The nays were—

Mr. Harrington—1.

Absent or not voting—

Messrs. Arnold, Crawford, Dumont, Elbert, Evans, Gibbons, Green, Haycock, Hirschler, Mahin, Merritt, Millard, Miller, Miracle, Parsons, Pratt, Rohlf, Sater, Snow, Spencer, Stanchfield, Tait, Taylor, Teale, Tufts, Wasson, Williams, Wright of Allamakee, and Wright of Sac—29.

So the Senate amendments were concurred in.

On motion of Mr. Hunter, House File No. 272, A bill for an act to legalize the acts of A. T. Reeve, a notary public in and for Franklin county Iowa, was taken up and considered.

Mr. Dudley moved that the House adjourn.

The motion did not prevail.

Mr. Dunne moved that when the House adjourn, that it be until Monday, at 9 o'clock A. M.

The motion prevailed.

On motion of Mr. Hunter, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :



The yeas were—

Messrs. Applegate, Beatty, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Cutts, Day DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Sanborn, Satterthwaite, Stewart, Stone, Stutsman, Toliver, Traer, Warner, Wilson, Wood, and Mr. Speaker—69.

The nays were none.

Absent or not voting—

Messrs. Arnold, Campbell, Crawford, Dumont, Elbert, Evans, Green, Harrison, Haycock, Hirschler, Mahin, Merritt, Millard, Miller, Miracle, Pratt, Rohlf, Russell, Sater, Snow, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Tufts, Wasson, Williams, Wright of Allamakee, and Wright of Sac—80.

So the bill passed and the title was agreed to.

Leave of absence was granted Mr. Hirschler until Tuesday morning. On motion of Mr. Newbold the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, March 28, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. F. Bresee.

Journal of yesterday read and approved.

#### MEMORIAL.

Mr. Day presented a petition of Marcus T. Socia, of Pocahontas county, asking for the passage of an act authorizing the Governor to release certain lands in that county.

Placed on file.

#### REPORTS OF COMMITTEES.

Mr. Harper, from the Committee on Schools, submitted the following reports:

MR. SPEAKER—Your Committee on Schools to whom was referred the petition of citizens of Clark county, in relation to the formation

of a new sub-district, beg leave to report the same back to the House, with the explanation that the case is provided for under Substitute for House File No. 238.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 316, A bill for an act to legalize the acts of the independent district of Kirkville, Wapello county, Iowa, beg leave to report a substitute for the same back to the House, with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred House File No. 270, A bill for an act to legalize the organization of the independent school district of Missouri Valley, Harrison county, Iowa, beg leave to report the same back to the House, with the recommendation that it be amended by adding to the publication clause the words, "without expense to the State," and that the bill as amended do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred House File No. 176, A bill for an act to amend chapter 183, section 1, of the laws of the Twelfth General Assembly, beg leave to report the same back to the House, with the recommendation that it do not pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred House File No. 238, A bill for an act to provide a system of common schools, beg leave to report a substitute for the same back to the House, with the recommendation that it do pass.

HARPER, *Chairman.*

Mr. Rowell, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 312, A bill for an act to amend section 7, chapter 169, laws of the Ninth General Assembly, beg leave to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 121, A bill for an act changing time of holding court in Lee county at Keokuk, beg leave to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 301, A bill for an act for the relief of Patrick Hamil, beg leave to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your committee on Judiciary to whom was referred House File No. 309, A bill for an act to authorize widows, heirs, or personal representatives of deceased persons to maintain action for property fraudulently obtained by the decedent, beg leave to report the same back to the House, with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

On motion of Mr. Harper, substitute for House File No. 338, A bill for an act to provide a sytem of common schools, was made a special order for Wednesday next, March 30, 1870, at 10 o'clock A. M.

#### INTRODUCTION OF BILLS.

Mr. Murdock introduced House File No. 320, A bill for an act making appropriations for the Hospital for the Insane, at Mount Pleasant.

Read a first and second time, and referred to Committee on Public Buildings.

Mr. Day introduced House File No. 321, A bill for an act empowering the Governor to release certain lands.

Read first and second time and considered engrossed for a third reading.

On motion of Mr. Day, the rule was suspended and the bill read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Toliver, Traer, Tufts, Warner, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—69.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bundy, Outts, Dumont, Elbert, Evans, Green, Hartenbower, Haycock, Hirschler, Hunter, Lacey, Mahin, McCoun, Merritt, Millard, Miller, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Wasson, Williams, Wood—80.

So the bill passed and the title was agreed to.

Mr. Gibbons moved to take up Senate File No. 24, A bill for an act to legalize indices in the Recorder's office at Keokuk, Iowa.

On motion of Mr. Gibbons, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Toliver, Traer, Tufts, Warner, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker—72.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Outts, Dumont, Elbert, Evans, Green, Hartenbower, Haycock, Hirschler, Lacey, Mahin, McCoun, Merritt, Millard, Miller, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Wasson, Williams, and Wood—27.

So the bill passed and the title was agreed to.

Mr. Stutsman introduced House File No. 322, A bill for an act to amend section 2689 of the Revision of 1860.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following Bills and find the same correctly enrolled:

Senate File No. 94, A bill for an act providing for the appointment of Commissioners in other States, and to regulate the powers of Commissioners of other States in this State.

Senate File No. 65, A bill for an act to legalize the plat of the town of Auburn in Fayette county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as now specified in said plat.

Senate File No. 192, A bill for an act to legalize the organization, election of officers, and acts of the city of Waterloo as a city of the second class.

House File No. 208, A bill for an act to legalize the sale of certain lands by Polk county.

G. S. TOLIVER, *Chairman.*

Mr. Murdock introduced House File No. 323, A bill for an act to authorize the Secretary of State to subscribe for a certain number of copies of the Military History of Iowa.

Read a first and second time, placed on file and ordered printed.

Mr. Applegate moved to amend by ordering one copy to each member of the General Assembly.

The motion did not prevail.

Mr. Wilson introduced House File No. 324, A bill for an act to amend section 840 of the Revision of 1860.

Read a first and second time and referred to the Committee on County and Township Organization.

Mr. Norris moved to call up House File No. 303, A bill for an act to equalize the levy of taxes in sub-district No. 6 in Lick Creek Township, Davis county.

The motion prevailed and the bill was ordered engrossed and read a third time.

On motion of Mr. Norris the rule was suspended and the bill was read a third time.

On the question shall the bill pass, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Conner, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stone, Stutsman, Toliver, Traer, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—74.

The nays were none.

Absent or not voting—

Messrs. Arnold, Cutts, Dumont, Elbert, Evans, Green, Hartenbower, Haycock, Hirschler, Mahin, McCoun, Merritt, Millard, Miller, Pratt, Rohlf, Spencer, Stanchfield, Stewart, Swan, Tait, Taylor, Teale, Wasson, and Williams—25.

So the bill passed and the title was agreed to.

Mr. Toliver moved to take up House File No. 239, A bill for an

act to amend section 1, of chapter 77, of the laws of the Ninth General Assembly.

The motion prevailed, and the bill was ordered to be engrossed and read a third time.

On motion of Mr. Toliver, the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Harts-horn, Hobson, Hood, Hopkins, Irish, Kasson, Keables, Ketcham, Lacey, Lee, Marks, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Satterthwaite, Snow, Stewart, Stone, Stutsman, Toliver, Traer, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Messrs. Ball, Butler, Hopkirk, Huff, Hunter, Sanborn, and Tufts—7.

Absent or not voting—

Messrs. Arnold, Bundy, Cutts, DeGroat, Dumont, Elbert, Evans, Green, Hartenbower, Haycock, Hirschler, Jones, Lommen, Mahin, McCoun, Merritt, Millard, Miller, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Wasson, and Williams—28.

So the bill passed and the title was agreed to.

Leave was granted Mr. Marks, from the Committee on Public Lands, to submit the following report:

MR. SPEAKER—Your Committee on Public Lands, to whom was referred Joint Resolution relating to swamp land selections in certain counties, beg leave to report the same back to the House, with the recommendation that it be adopted.

C. R. MARKS, *Chairman*.

Mr. Day moved that the report of the committee be adopted.

Mr. Kasson moved to amend the resolution as follows:

In the first resolution and in the third line after the words *pass* upon said "elections," the words "and like selections in any other county."

The motion prevailed.

The resolutions were adopted.

Mr. Parsons offered the following resolution:

*Be it Resolved*, That the Attorney-General be requested to examine the title to the land commonly known as the Des Moines River School Lands, and to report to this House whether in his

opinion said lands or any portion thereof are now subject to Legislative control.

Laid over under rule 34.

On motion of Mr. Irish the special order, Senate File No. 105, A bill for an act to provide for the completion of the center building, the North wing, rear center building, engine house, chimney, and ducts and the improvement of the grounds and farm of the Iowa Hospital for the Insane, at Independence, was taken up.

On motion of Mr. Sanborn, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the Chair.

Leave was granted Mr. Rowell from the Committee on Judiciary to submit the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House File No. 256, A bill for an act to enable counties to furnish Justices' of the Peace with Conklin's Justice, beg leave to report the same back to the House, the following substitute, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Leave of absence was granted Messrs. Stanchfield, Sater, Dumont, Haycock, McCoun, Teale, Miller, Elbert, Hunter, Swan, Bundy, Christoph, Crawford, Cutts and Day.

Mr. Irish moved a call of the House, which was ordered.

On motion of Mr. Durham further proceedings under the call were dispensed with.

On motion of Mr. Gibbons, Senate File No. 121, A bill for an act changing the time of holding the District Court at Keokuk, Lee county, was taken up, and ordered engrossed, to be read a third time.

On motion of Mr. Gibbons the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carver, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Ketcham, Lacey,

Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rogers, Rosser, Rowell, Sanborn, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, Mr. Speaker. — 58.

The nays were none.

Absent or not voting were—

Messrs. Arnold, Bundy, Butler, Carpenter, Christoph, Crawford, Cutts, Day, Dumont, Elbert, Evans, Greene, Haycock, Hirschler, Hunter, Keables, Martin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Parsons, Pratt, Rohlf, Russell, Sater, Satterthwaite, Spencer, Stanchfield, Swan, Tait, Taylor, Teal, Toliver, Traer, Wason, Williams, Wilson, Wright of Allamakee, and Wright of Sac.— 41.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor in regard to the Des Moines river lands.

On motion of Mr. Parsons, the message was referred to a special committee of five, and ordered printed.

The Speaker announced the select committee to be Messrs. Parsons, Kasson, Hunter, Hopkins, and Brown of Fayette.

On motion of Mr. Lee, the further consideration of Senate File, No. 105, A bill for an act to provide for the completion of the centre building, &c., of the Insane Asylum at Independence, was postponed until 2 o'clock, P. M., Wednesday, March 30th.

On motion of Mr. McGavren, House File, 270, A bill for an act to legalize the organization of the independent school district of Missouri Valley, Harrison county, was taken up, and ordered to be engrossed for a third reading.

On motion of Mr. Harper, the rule was suspended, and the bill read a third time.

On question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carver, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, and Mr. Speaker—58.

The nays were none.



Absent or not voting.

Messrs. Arnold, Bundy, Butler, Carpenter, Christoph, Crawford, Cutts, Day, DeGroat, Dumont, Elbert, Evans, Green, Haycock, Hirschler, Hunter, Keables, Mahin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee, and Wright of Sac—41.

So the bill passed and the title was agreed to.

Leave was granted Mr. Dunne to offer the following resolution :

*Resolved*, That the Committee on Schools be, and are, hereby instructed to report a bill abolishing the office of County Superintendent of Common Schools.

On motion of Mr. Mills, the resolution was laid on the table.

On motion of Mr. Warner, House File No. 96, A bill for an act to repeal chapter 127, of the acts of the Eleventh General Assembly, was taken up and read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartsborn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Ketcham, Lacay, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, and Mr. Speaker—61.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bundy, Carpenter, Christoph, Crawford, Cutts, Day, Dumont, Elbert, Evans, Green, Haycock, Hirschler, Hunter, Keables, Mahin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee, and Wright of Sac—38.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Russell to introduce House File No. 325, A bill for an act to provide for the publication and distribution of the laws of the Thirteenth General Assembly of the State of Iowa.

Read first and second time.

On motion of Mr. Russell, the bill was ordered engrossed.

On motion of Mr. Russell, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, and Mr. Speaker—61.

The nays were—none.

Absent or not voting—

Messrs. Arnold, Bundy, Christoph, Crawford, Cutts, Day, Dumont, Elbert, Evans, Green, Hartshorn, Haycock, Hirschler, Hunter, Kasson, Mahin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee, and Wright of Sac—38.

So the bill passed and the title was agreed to.

Leave was granted Mr. Dunne to offer the following resolution, which was adopted :

*Resolved*, That the Committee on Schools be, and are, hereby instructed to inquire into the expediency of introducing a bill to abolish the office of County Superintendent of Common Schools.

Mr. Butler offered the following resolution :

*Be it resolved by the House of Representatives of the State of Iowa*, That from and after March 30, no member of this House shall be permitted to occupy more than fifteen minutes in discussing any subject.

Mr. Irish moved to amend by inserting in the third line, after the words "no member," "without consent of the House."

The motion prevailed.

Mr. Brown, of Fayette, moved to strike out "fifteen" and insert "five."

The motion did not prevail.

The resolution was adopted.

Mr. Carver offered the following resolution, which was adopted :

*Resolved*, That the Judiciary Committee be, and are, hereby instructed to prepare a bill, if necessary, to harmonize the law fixing the salary of District Attorney.

Attention is directed to sections 380, 381, and 382, of the Revision. And chapter 133, Ninth General Assembly, section 11. Also, chapter 38, Tenth General Assembly; there being no repealing clause in the last named acts.

On motion of Mr. Kasson, the messages on the Speaker's table were taken up.

House File No. 201, A bill for an act to legalize the acts of Ashford B. Ellwood, a Deputy Recorder of Montgomery county, was taken up, and upon the adoption of the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, and Mr. Speaker—62.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bundy, Christoph, Crawford, Cutts, Day, Dumont, Elbert, Evans, Green, Haycock, Hirschler, Hunter, Mahin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Parsons, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac—37.

So the bill passed and the title was agreed to.

Senate File No. 167, A bill for an act to legalize the acts of the Independent School District of Monona.

Read first and second time and the bill ordered to be engrossed.

Mr. Applegate moved that the rule be suspended, and the bill be read a third time; now

The motion prevailed.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, Mr. Speaker—60

The nays were—

Messrs. Harper, Ketcham, Miles of Washington, Satterthwaite, Wright of Sac—5

Absent or not voting—

Messrs. Arnold, Bundy, Cristoph, Crawford, Cutts, Day, Du-

mont, Elbert, Evans, Green, Hirschler, Haycock, Hunter, Mahin, McCoun, Merritt, Millard, Miller, Mills, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teal, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee—34.

So the bill passed and the title was agreed to.

Senate File No. 90, A bill for an act to amend chapter 52 and 53 of the Revision of 1860.

Read a first and second time and referred to the Committee on Incorporation.

Senate File No. 142, A bill for an act relative to the claim of L. F. Robertson for work done on the State House.

Read a first and second time and ordered to be engrossed and read a third time.

On motion of Mr. Kasson the rule was suspended and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, DeGroat, Dickerson, Dudley, Dunne, Durham, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tufts, Warner, Wood, Wright of Sac, and Mr. Speaker—62.

The nays were—None.

Absent or not voting—

Messrs. Arnold, Ball, Bundy, Christoph, Crawford, Cutts, Day, Dumont Elbert, Evans, Green, Harper, Haycock, Hirschler, Hunter, Mahin, Merritt, Millard, Miller, Mills, O'Donnell, Pratt, Rohlf, Sater, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, and Wright of Allamakee—37.

So the bill passed and title agreed to.

Senate File No. 196, A bill for an act to amend section 2833 of the Revision of 1860.

Read a first and second time and referred to the Committee on Judiciary.

Senate File No. 195, A bill for an act amending chapter 59 of the Laws of the Twelfth General Assembly, and regulating the punishment of juvenile offenders.

Read a first and second time and referred to the Committee on Reform Schools.

Mr. Dudley moved to take up House File No. 296, A bill for an act for the government of the State University.

Mr. Rowell moved that the House adjourn.

The motion was lost.

The bill was read a second time.

Mr. Irish moved that the bill be indefinitely postponed.

On the question to postpone, Messrs. Wright, of Sac, and Irish, demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Bell, Butterfield, Campbell, Christoph, Crawford, Day, DeGroat, Dickerson, Dunne, Faville, Gibbons, Harrison, Hartenbower, Hobson, Hood, Hopkins, Huff, Irish, Jones, Lee, Mills, Miracle, Pratt, Rowell, Toliver, Wright of Sac and Mr. Speaker—27.

The nays were—

Messrs. Applegate, Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Carpenter, Carver, Dudley, Durham, Harper, Harrington, Hartshorn, Hopkirk, Kasson, Keables, Ketcham, Lacey, Lommen, Marks, McGavren Miles of Wayne, Morrison, Murdock, Newbold, Norris, Rogers, Rosser, Russell, Sanborn, Snow, Stewart, Stone, Statsman, Traer, Warner, Wilson and Wood—39.

Absent or not voting—

Messrs. Arnold, Beresheim, Bundy, Cutts, Dumont, Elbert, Evans, Green, Haycock, Hirschler, Hunter, Mahin, McCoun, Merritt, Miles of Washington, Miller, Noel, O'Donnell, Parsons, Rohlf, Sater Satterwaite, Spencer, Staunichfield, Swan, Tait, Taylor, Teale, Taft, Wasson, Williams and Wright of Allamakee—38.

So the motion to postpone indefinitely did not prevail.

On motion of Mr. Harris the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 29, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. H. DeForest.

Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate have passed the following bills, in which the concurrence of the House is asked.

Senate File No. 102, A bill for an act to establish an Industrial Home for the Blind.

Substitute for Senate File No. 128, A bill for an act for the relief of the widow and heirs of Joseph B. Dorr, late Col. of 8th Iowa Cavalry.

Also House File No. 314, A bill for an act to legalize the acts of Trustees, Mayor and recorder of the town of Iowa Falls, Iowa, with the following amendment, viz: by adding to the second section the words, "Provided such publication shall be without expense to the State." To which the concurrence of the House is asked.

Also, that the Senate has concurred in the House amendment to Senate File No. 20, A bill for an act to repeal sections 16, 17, 18, 19, 20, 21, 22, and 24, of chapter 86, of the acts of the 12th General Assembly, providing for appeals to the Supreme Court from the District and Circuit Courts, and for fixing times for holding Circuit Courts.

Also, that the Senate have indefinitely postponed the House resolution relative to the establishment by Congress of a postal telegraph system.

I also return herewith the following bills which have passed the Senate without amendment:

House File No. 315, A bill for an act to legalize the proceedings of the regular annual meeting of the electors of the Independent School District of Vandalia, Jasper county, Iowa.

House File No. 317, A bill for an act to amend section 664 of the Revision.

Preamble and joint resolution relative to improvement of the Des Moines rapids of the Mississippi river.

Joint resolutions for the relief of William B. Critchfield and Henry C. Anderson, late soldiers of the 13th Iowa Infantry.

House File 153, A bill for an act allowing the counties of Hamilton, Franklin and Wright to take their causes to the argument term of the Supreme Court at the city of Dubuque.

JAMES. M. WEART, *Secretary*.

#### PETITIONS AND MEMORIALS.

Mr. Rowell presented a petition of Dr. L. W. D. Bray, a citizen of said State, asking the allowance of a claim, the sum of one thousand and two dollars,, for provisions, food, and lodgings, furnished First Regiment Iowa Volunteer Militia, West Division.

Referred to the Committee on Claims.

Mr. Stewart presented a petition from citizens of sub-district No. 6, of Pleasant Valley, county of Johnson, State of Iowa, asking the passage of a law to give them the right to form an independent school district.

Referred to Committee on Schools.

## REPORTS OF COMMITTEES.

Mr. Toliver from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

Preamble and joint resolution relating to a loan of \$15,000 to the College of Physicians and Surgeons at Keokuk.

Senate File No. 3, A bill for an act authorizing cities to receive donations of ground and library buildings, and to maintain free public libraries and reading rooms.

House File No. 20, A bill for an act to repeal sections 16, 17, 18, 19, 20, 21, 22, and 24, of chapter 86, acts of the Twelfth General Assembly, and providing for appeals from the District and Circuit Courts to the Supreme Court, and fixing times of holding Courts.

House File No. 63, A bill for an act fixing the rate of interest on loans of the Permanent School Fund.

G. S. TOLIVER, *Chairman.*

Mr. Morrison from the Committee on Institution for the Blind, submitted the following report :

MR. SPEAKER—Your Committee on Institution for the Blind, to whom was referred House File No. 132, A bill for an act to provide for the support and education of the blind, beg leave to report back to the House the accompanying substitute, with the recommendation that it do pass.

MORRISON, *Chairman.*

Mr. Gibbons, from the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER—Your Committee on Internal Improvements, to whom was referred House File No. 306, A bill for an act to authorize the Vinton Water Power Company to construct a dam across Cedar River, in Taylor or Cedar townships, Benton county, beg leave to report the same back to the House, with the recommendation that it do pass.

PATRICK GIBBONS, *for Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 292, A bill for an act, etc., beg leave to report the same back to the House, with the recommendation that it pass.

N. W. ROWELL, *Chairman.*

Mr. Brown, of Fayette, from the Committee on Military Affairs presented the following report :

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred certain claims of S. F. Spofford, for forage and subsistence furnished State Militia in 1863, have had the same under consideration, and believing them to be just, have instructed me to report the same back to the House, with the recommendation that they be allowed.

AARON BROWN, *Chairman*.

Mr. Keables, from the Committee on Medical Institutions, submitted the following report :

MR. SPEAKER—Your Committee on Medical Institutions, to whom was referred the several bills on the subject of the practice of medicine, beg leave to report the accompanying bill as a substitute for all the bills on the subject, with the recommendation that it do pass.

B. F. KEABLES, *Chairman*.

The resolution in relation to the opinion of the Attorney-General in regard to the Des Moines river school lands, laid over under rule 34, was taken up and adopted.

#### INTRODUCTION OF BILLS.

Mr. Toliver introduced House File, No. 326, A bill for an act to repeal chapter 29 of the Laws of the 12th General Assembly.

Read first and second time, and referred to the Committee on Schools.

Mr. Keables introduced House File, No. 327, A bill for an act to amend section 888 and 911, chapter 46 of revision of 1860, increasing pay of Road Supervisors and Township Clerk.

Read first and second time, and referred to the County and Township Organization.

#### MESSAGES ON SPEAKER'S TABLE.

Senate File No. 102, A bill for an act to establish an Industrial Home for the Blind.

Read first and second time and referred to the Committee on Blind Asylum.

Substitute for Senate File, No. 128, A bill for an act for the relief of the widow and heirs of Joseph B. Dorr, late Colonel 8th Iowa Cavalry.

Read first and second time.

On motion of Mr. Mills, the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :



The yeas were—

Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Durham, Faville, Gibbons, Green, Harrington, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Mills, Miracle, Murdock, Newbold, Norris, Pratt, Rogers, Rowell, Russell, Sanborn, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Warner, Wilson, Wright of Sac.—62.

The nays were—

Brown of Van Buren, Dunne, Evans, Harper, Harrison, Hartshorn, Ketcham, Lommen, Marks, Morrison, Noel, Rosser, Satterthwaite, Snow, Stewart, Tufts, Wood.—17.

Absent or not voting—

Messrs. Arnold, Bundy, Dudley, Dumont, Elbert, Kasson, McCoun, Millard, Miller, O'Donnell, Parsons, Rohlf, Sater, Spencer, Stanchfield, Teale, Wasson, Williams, Wright of Allamakee, and Mr. Speaker.—20.

So the bill passed and the title was agreed to.

Mr. Beresheim moved that the vote by which the bill passed be reconsidered.

Mr. Butler moved to lay the motion to reconsider on the table. The motion did not prevail.

On motion to reconsider Messrs. Dunne and Morrison demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Campbell, Carpenter, Carver, Cutts, Day, Dudley, Dunne, Durham, Evans, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hopkins, Hopkirk, Huff, Ketcham, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Morrison, Newbold, Noel, Norris, Rogers, Rosser, Rowell, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tait, Traer, Tufts, Wood.—47.

The nays were—

Messrs. Bell, Brown of Fayette, Butler, Butterfield, Cristoph, Crawford, DeGroat, Dickerson, Faville, Gibbons, Greene, Hirschler, Hobson, Hood, Hunter, Irish, Jones, Keables, Lacey, Lee, Millard, Mills, Miracle, Murdock, Russell, Sanborn, Swan, Taylor, Toliver, Warner, Wilson.—30.

Absent or not voting—

Messrs. Arnold, Bundy, Dumont, Elbert, Green, Kasson, McCoun, Miles of Washington, Miller, O'Donnell, Parsons, Pratt, Sater, Spencer, Stanchfield, Teale, Wasson, Williams, Wright of Allamakee, Wright of Sac, Mr. Speaker.—22.

So the motion to reconsider prevailed.

Leave of absence was granted Mr. Wright of Alameda on account of sickness.

Mr. Applegate moved to refer the bill under consideration to the committee on claims.

Mr. Lacey moved to amend by striking out committee on claims and inserting committee on military affairs.

The motion prevailed.

House File 314, with Senate amendments was taken up and on the question to concur in the Senate amendments the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Eayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Conner, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Wayne, Millard, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Ruhlfs, Rosser, Rowell, Russel, Sanborn, Satterthwaite, Snow, Stewart, Stone Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wilson, Wood—79.

The nays were none.

Absent or not voting—

Messrs. Arnold, Bundy, Cutts, Dumont, Green, Kasson, McCoun Merritt, Miles of Wayne, O'Donnell, Sater, Spencer, Stanchfield, Teale, Wasson, Williams, Wright of Alameda, Wright of Sac, Mr. Speaker—20.

So the Senate amendment was concurred in and the bill passed.

On motion of Mr. Traer, House File, 306, A bill for an act to authorize the Vinton Water Power Company to construct a dam across Cedar river, in Taylor and Cedar Townships, Benton county, was taken up and ordered engrossed.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—

Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Evans, Faville, Gibbons, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rosser, Rowell, Russell, Sanborn, Snow, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wood.—70.

In the negative—

Rogers.—1.

Absent or not voting—

Messrs. Arnold, Bundy, Cutts, Dumont, Elbert, Green, Harrison, Jones, Kasson, McCoun, Miles of Washington, Miller, Mills, O'Donnell, Parsons, Pratt, Rohlf, Sater, Satterthwait, Spencer, Stanchfield, Teale, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker.—28.

So the bill passed and title was agreed to.

On motion of Mr. Harper, House File No 233, A bill for an act to provide for the greater security of the permanent school fund, and to increase its productiveness, was taken up.

The House refused to concur in the amendments proposed by the committee to section 2, to strike out February and insert January.

The amendment to strike out August and insert July was adopted.

The amendment to the 5th line of section 2 was not adopted.

Mr. Stutsman moved to amend by striking out sections two, three and four.

Mr. Ketchum moved to amend the amendment by inserting in lieu of said sections, by adding to section 2 "Each county of the State shall be responsible for the prompt payment into the State Treasury of the annual interest at the rate of ten per cent per annum, in such portion of the permanent school fund of the State as it may at any time have under control, and in case of failure to make such payment within ninety days from the first day of February and July, respectively, in each and every year, the board of supervisors thereof, shall order paid out of the county treasury such portion of it as may be delinquent.

The motion did not prevail.

Mr. Harrington moved to lay the bill on the table.

Messrs. Harper and Dunne demanded the yeas and nays which were as follows.

The yeas were—

Messrs. Ball, Beatty, Bell, Beresheim, Brown of Fayette, Butler, Butterfield, Carpenter, Christoph, Crawford, Cutts, Day, DeGreat, Dickerson, Dunne, Durham, Gibbons, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Huff, Lacey, Lee, Lommen, McGavren, Merritt, Miles of Wayne, Millard, Mills, Miracle, Morrison, Newbold, Noel, Rowell, Russell, Tait, Wilson, Wood, and Wright of Sac—46.

The nays were—

Messrs. Applegate, Bonewitz, Brown of Van Buren, Campbell, Carver, Dudley, Evans, Faville, Harper, Hood, Irish, Jones, Ketcham, Mahin, Marks, Miles of Washington, Murdock, Norris, Rogers, Rosser, Sanborn, Satterthwaite, Stewart, Stone, Stutsman, Taylor, Toliver, Traer, Tufts, and Warner—30

Absent or not voting—

Messrs. Arnold, Bundy, Dumont, Elbert, Hunter, Kasson, Keables, McCoun, Miller, O'Donnell, Parsons, Pratt, Rohlf, Sater, Snow, Spencer, Stanchfield, Swan, Teale, Wasson, Williams, Wright of Allamakee, and Mr. Speaker—23.

So the motion to lay on the table prevailed.

House File No. 105, A bill for an act to amend sections 1544 and 1545, of the Revision of 1860, in relation to fences, was taken up and considered.

On motion of Mr. Wilson, the bill was laid on the table.

House File No. 162, A bill for an act to encourage the development and manufacture of Salt, was taken up and considered.

Mr. Stone moved to amend so as to include boring for oil.

Mr. Wilson moved that the further consideration of the bill be postponed till to-morrow.

The motion prevailed.

On motion of Mr. Irish, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

The hour having arrived for the consideration of the special order, House Resolution relative to constitutional amendment in relation to woman suffrage, on motion of Mr. Morrison, the special order was taken up.

Mr. Green moved that the minority report of the Committee be adopted.

Mr. Russell moved to strike out the third section of the resolutions.

Mr. Hunter moved the previous question, which was seconded.

The question recurring on the amendment proposed by Mr. Russell, it was adopted.

On the adoption of the resolution the yeas and nays were as follows:

The yeas were—

Arnold, Beatty, Bonewitz, Brown of Fayette, Butler, Campbell, Carpenter, Carver, Crawford, Day, Dickerson, Dudley, Durham, Evans, Faville, Green, Harper, Harrington, Haycock, Hood, Hopkins, Hopkirk, Irish, Jones, Kasson, Lacy, Lee, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rowell, Russell, Sanborn, Satterthwait, Statsman, Swan, Tait, Toliver, Traer, Tufts, Wilson, Mr. Speaker.—54.

The nays were—

Messrs. Applegate, Ball, Bell, Beresheim, Brown of Van Buren, Butterfield, Christoph, Cutts, DeGroat, Dunne, Gibbons, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Huff, Hunter, Keables, Ketcham, Lommen, Mahin, Marks, O'Donnell, Pratt, Rholfs, Rosser, Snow, Stewart, Stone, Taylor, Warner, Wood, Wright of Allamakee, Wright of Sac—85.

Absent or not voting—

Messrs. Bundy, Dumont, Elbert, McCoun, Sater, Spencer, Stanchfield, Teale, Wasson and Williams.—10.

So the resolutions were adopted.

On motion of Mr. Butler, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
March 30, 1870.

The House met pursuant to adjournment.

The speaker in the chair.

Prayer by Rev. A. A. Dinsmore.

The Journal of yesterday read and approved.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 201, A bill for an act to amend section 7, of chapter 169, of the laws of the Ninth General Assembly.

J. A. T. HULL,  
*First Assistant Secretary.*

#### REPORTS OF COMMITTEES.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report:

Mr. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

House File No. 315, A bill for an act to legalize the proceedings of the regular annual meeting of the electors of the Independent School District of Vandalia, Jasper county, Iowa.

House File No. 153, A bill for an act allowing the counties of Hamilton, Franklin and Wright to have their causes heard at the argument term of the Supreme Court, held at Dubuque.

House File No. 201, A bill for an act to legalize the acts of Ashford B. Elwood, a Deputy Recorder of Montgomery county, Iowa.

Substitute for House File No. 103, A bill for an act to provide for the funding of county indebtedness and for the payment thereof.

House File No. 317, A bill for an act to amend section 664 of the Revision.

House File No. 314, A bill for an act to legalize the acts of the Trustees, Mayor, and Recorder of the town of Iowa Falls, Iowa.

G. S. TOLIVER, *Chairman.*

Mr. Norris, from the Committee on Reform School, submitted the following report :

MR. SPEAKER :—Your committee on Reform School, to whom was referred Senate File No. 195, A bill for an act to amend chapter 59 of the acts of the 12th General assembly beg leave to report the same back to the House with the recommendation that it do pass with the following amendment :

Insert after the word "girl" in the 2d line of section 1, the words " under the age of eighteen years."

T. O. NORRIS, *Chairman.*

Leave was granted Mr. Day to call up House File No. 222, A bill for an act to tax lands which are owned by counties within the limits of other counties.

The bill was taken up and considered.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

Senate File No. 135, A bill for an act to provide for the taxation of the real and personal property of express and telegraph companies.

I also return herewith House File No. 120, A bill for an act to legalize the acts of Daniel Conrad while acting as Justice of the Peace in Deep Creek township in Clinton county, which has passed the Senate without amendment.

J. A. T. HULL,  
*1st. Assist. Secretary.*

Mr. Ketcham moved the previous question which was seconded.

On the question shall the main question be now put? the motion prevailed.

The bill was ordered engrossed.

Mr. Lacey moved to reconsider the vote by which the bill was ordered engrossed.

On motion of Mr. Harper the motion to reconsider was laid on the table.

Leave was granted Mr. Stone to introduce House File No. 328, A bill for an act to provide for creating an Independent School District at a certain place in Mills county, Iowa.

Read a first and second time and referred to Committee on Schools.

On motion of Mr. Wright, of Sac, the rule was suspended and the bill, House File No. 222, read a third time.

Upon the question, "shall the bill pass" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Day, Durham, Evans, Faville, Green, Harper, Haycock, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables, Lee, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Murdock, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stone, Stutsman, Tait, Taylor, Toliver, Warner, Wilson, Wood, Wright of Sac, and Mr. Speaker—53.

The nays were—

Messrs. Ball, Beatty, Bell, Carpenter, Christoph, Crawford, Cutts, Dickerson, Dunne, Harrington, Harrison, Hartenbower, Hirschler, Hobson, Hopkins, Hopkirk, Ketcham, Lacey, Lommen, Mahin, Miles of Washington, Miles of Wayne, Morrison, Newbold, O'Donnell, Sater, Snow, Stewart, Swan, Traer, Tufts, and Wasson—32.

Absent or not voting—

Messrs. Beresheim, Bundy, DeGroat, Dudley, Dumont, Elbert, Gibbons, Hartshorn, McCoun, Spencer, Stanchfield, Teale, Williams, and Wright of Allamakee—14.

So the bill passed and the title was agreed to.

Leave was granted Mr. Huff to introduce House File No. 329, A bill for an act to permanently locate the State Reform School for Juvenile offenders, at or near Eldora, Hardin county, Iowa:

Read first and second time and referred to Committee on Reform School, and ordered printed.

On motion of Mr. Harper, the House took up substitute for House File No. 238, A bill for an act to provide a system of common schools.

On motion of Mr. Harper the House resolved itself into Committee of the Whole, Mr. Harper in the chair.

On motion of Mr. Irish, the Committee arose, reported progress, and asked leave to sit again on Friday next, at 9½ o'clock A. M.

On motion of Mr. Russell, the report of the Committee was adopted.

On motion of Mr. Lacey, the messages on Speaker's table were taken up.

Senate File No. 135, A bill for an act to provide for the taxation of express and telegraph companies.

Read first and second times, and referred to the Committee on Ways and Means.

Senate File No. 201, A bill for an act to amend section 7, of chapter 169, of the laws of the Ninth General Assembly.

Read first and second times, and referred to Committee on Railroads.

Leave was granted Mr. Merritt to record his vote yea, on House File No. 197.

On Motion of Mr. O'Donnell, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

The Hour having arrived for the consideration of Senate File No. 105, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney and ducts, and the improvement of the grounds and farm of the Iowa Hospital for the insane at Independence.

On motion of Mr. Lee, the special order was taken up.

Mr. Brown of Van Buren moved to amend section 2, in third line, The words "front center building" be stricken out, and also "three hundred thousand dollars," and "one hundred and sixty-five thousand dollars" be inserted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution :

A proposal to amend the Constitution of the State of Iowa, and to provide for its reference and publication, which has passed the Senate without amendment.

J. A. T. HULL,  
*First Assistant Secretary.*



Mr. Applegate moved the previous question, which was seconded. On the question, shall the main question be now put? it was decided in the affirmative.

The question recurring on the amendment, Messrs. Lee and Brown, of Van Buren, demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Brown of Van Buren, Campbell, Carver, Cutts, Dudley, Durham, Elbert, Evans, Green, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hopkins, Hopkirk, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, Miles of Washington, Miles of Wayne, Miller, Miracle, Morrison, Newbold, Norris, Rogers, Rohlf, Rosser, Rowell, Sater, Satterthwaite, Snow, Stutsman, Tait, Toliver, Tufts, Wood, and Mr. Speaker—46.

The nays were—

Messrs. Arnold, Beresheim, Bonewitz, Brown of Fayette, Butler, Butterfield, Carpenter, Christoph, Crawford, DeGroat, Dickerson, Faville, Harrington, Hobson, Hood, Huff, Hunter, Irish, Jones, Kasson, Lee, McGavren, Merritt, Millard, Mills, Murdock, Noel, Parsons, Pratt, Russell, Sanborn, Stewart, Swan, Taylor, Traer, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac—40.

Absent or not voting—

Messrs. Bundy, Day, Dumont, Dunne, Gibbons, Hartshorn, McCoun, O'Donnell, Spencer, Stanchfield, Stone, Teale, Williams—13.

So the motion to amend prevailed.

The bill was ordered to be engrossed.

On motion of Mr. Applegate, the rule was suspended and the bill read a third time.

On the question shall the bill pass the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Hartenbower, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Merritt, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—83.

The nays were—

Messrs. Dudley, Harrison, and Hirschler—3.

Absent or not voting—

Messrs. Bundy, Day, Dumont, Dunne, Gibbons, Hartshorn, McCoun, O'Donnell, Spencer Stanchfield, Stone, Teale, and Williams—13.

So the bill passed.

Mr. Kasson moved to strike from the title the words "the center building."

The motion prevailed, and the title as amended was agreed to.

Leave of absence was granted Mr. Bundy on account of sickness.

Leave was granted Mr. Lacey to offer a joint resolution relating to the death of Major-Gen'l George H. Thomas, which was adopted by a rising vote.

Leave was granted Mr. Traer to offer a resolution relating to the appointment of Trustees to the Blind Asylum, which was referred to the committee on Blind Asylum.

On motion of Mr. Irish, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
March 31, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. P. A. Field.

On motion of Mr. Wilson the reading of the journal was dispensed with.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the house is asked.

Substitute for Senate File No. 162, A bill for an act defining and establishing the salary of the Governor, other State officers, and Judges of the several courts of the State.

Senate File No. 218, A bill for an act to provide for proper reference and publication of proposals to amend the State Constitution.

I also return herewith, House File No. 325, A bill for an act to provide for the publication and distribution of the laws of the 13th General Assembly of the State of Iowa, which has passed the Senate without amendment.

JAMES M. WEART, *Secretary.*

Leave was granted Mr. Williams to record his vote "yea" in the joint resolution to amend the Constitution to strike out the word male.

Leave was granted Mr. Rowell to introduce House File No. 330, A bill for an act for the relief of W. D. Bray.

Read a first and second time and referred to Committee on Claims.

Leave was granted Mr. Murdock to introduce House File No. 331, A bill for an act to authorize cities and towns, now, or hereafter organized under special charters, to amend, abolish, or organize with new charters of incorporation under chapter 51 of the Revision of 1860.

Read first and second time and ordered engrossed.

On motion of Mr. Murdock, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bonewitz, Brown of Van Buren, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Evans, Faville, Green, Harrison, Hartenbower, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Jones, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Stanchfield, Stewart, Swan, Taylor, Teale, Traer, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, Mr. Speaker—71.

The nays were—

Messrs. Dumont, Sater, Tufts—3.

Absent or not voting—

Messrs. Beatty, Bell, Brown of Fayette, Bundy, Campbell, Cutts, Elbert, Gibbons, Harper, Harrington, Hartshorn, Hirschler, Hunter, Irish, Kasson, Ketcham, McCoun, Morrison, Satterthwaite, Spencer, Stone, Stutsman, Tait, Toliver and Warner—25.

So the bill passed and title was agreed to.

Mr. Traer moved that Senate File, No. 87, A bill for an act regulating the appointment and duties of State Librarian and a Board of Commissioners, be taken from the table and referred to the Committee on Library.

The motion prevailed.

Mr. Green moved that Senate File, No. 86, A bill for an act to authorize the improvement of streets and alleys, be taken up.

The motion prevailed and the bill was read a second time and ordered engrossed.

On motion of Mr. Rholf, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bonewitz, Bundy, Butterfield, Carpenter, Carver, Christoph, Crawford, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrison, Hartenbower, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stone, Swan, Teale, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—72.

The nays were—

Messrs. Morrison, Taylor—2.

Absent or not voting—

Messrs. Beatty, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Cutts, Day, DeGroat, Faville, Gibbons, Harrington, Hartshorn, Hirschler, Irish, Marks, McCoun, Pratt, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Toliver, Warner, Wright of Sac—25.

So the bill passed and title was agreed to.

Leave was granted Mr. Stone to call up House File, No. 152, A bill for an act to confer certain powers upon the Judges of the Circuit Court.

The bill was ordered to be engrossed.

On motion of Mr. Stone the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Bell, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dudley, Dunne, Elbert, Evans, Faville, Hartenbower, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Snow, Stanchfield, Stewart, Stone, Swan, Taylor, Traer, Tufts, Wasson, Williams, Wood, Wright of Sac—64.

The nays were—

Messrs. Applegate, Bonewitz, Dickerson, Durham, Ketcham, Russell, Teale, Wilson and Mr. Speaker—9.

Absent or not voting—

Messrs. Beatty, Beresheim, Brown of Fayette, Campbell, Cutts, Dumont, Gibbons, Green, Harper, Harrington, Harrison, Hartshorn, Hirschler, Irish, Marks, McCoun, Morrison, Sanborn, Sater,

Satterthwaite, Spencer, Stutsman, Tait, Toliver, Warner, Wright of Allamakee—26.

So the bill passed and title was agreed to.

Leave was granted Mr. Parsons to offer the opinion of the Attorney General on the Des Moines River Swamp Lands, which was ordered printed.

#### PETITIONS.

Mr. Mills presented a petition of members of the bar of northern Iowa in relation to the Dubuque term of Supreme Court.

Referred to the Committee on Ways and Means.

Mr. Hopkins presented a petition of citizens of Boone county, asking the legislature to resume the lands granted to the Des Moines Valley Railroad Company.

Placed on file.

Mr. Norris presented a petition of legal voters in independent school district of Bloomfield, praying for an act to legalize the issue of bonds in said district.

Referred to the Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Mahin from the Committee on Printing submitted the following report:

MR. SPEAKER—Your Committee on Printing to whom was referred resolution in regard to additional compensation to J. P. Stibolt for the translation of the bi-ennial message of Gov. Merrill into the German language, also claim of F. B. Zdrubek for translating same into the Bohemian language, have had the same under consideration; and while they feel favorable to the claims, have instructed me to report the same back to the House, with the recommendation that they be referred to the Committee on Claims.

JOHN MAHIN, *Chairman.*

Mr. Applegate from the Committee on Elections submitted the following report:

MR. SPEAKER—Your Committee on Elections to whom was referred House File No. 805, A bill for an act to repeal section 8 of chapter 171, Laws of the 12th General Assembly, beg leave to report the same back to the House, with the recommendation that it do not pass.

O. C. APPLGATE, *Chairman.*

Mr. Traer, from the Committee on Ways and Means, submitted the following report:

Mr. SPEAKER—Your committee on Ways and Means to whom was referred Senate File No. 181, A bill for an act for the improvement of the Penitentiary, and to provide for the salary of and compensation of the Warden, beg leave to report the same back to the House, with the recommendation that it pass.

TRAER, *Chairman.*

Messrs. Applegate and Crawford, from the Committee on the Suppression of Intemperance, submitted the following report :

MR. SPEAKER—Your Committee on Suppression of Intemperance, to whom was referred House File No. 244, A bill for an act to amend section 1575, of the Revision of 1860, in relation to the sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and the undersigned, a majority of said Committee, have instructed me to report the same back to the House, with the recommendation that the whole of said section, 1575, be repealed, The minority are of the opinion that nothing short of a stringent law, exterminating liquors from the State, will reach the objects sought by the House amendment.

All of which is respectfully submitted.

T. CRAWFORD,  
C. C. APPLGATE,  
*Committee in Majority.*

Mr. Applegate, from the Committee on Elections, submitted the following report :

MR. SPEAKER—Your Committee on Elections, to whom was referred a resolution to provide for the election of a Warden of the Penitentiary, beg leave to report back the accompanying bill, with the recommendation that it do pass.

C. C. APPLGATE, *Chairman.*

#### INTRODUCTION OF BILLS.

Mr. Applegate introduced House File No. 882, A bill for an act to amend section 5174, Revision of 1860.

Read first and second time, and made the special order for Wednesday, April 6, at 10 o'clock, A. M.

Mr. Stanchfield introduced House File No. 883, A bill for an act in relation to the Law Department of the State University.

Read first and second time, and ordered engrossed.

On motion of Mr. Harper, the rule was suspended and the bill read a third time.

On the question, shall the bill pass ? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Dunne, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Irish, Jones, Kasson, Keables, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Satterthwaite, Snow, Stanchfield, Stone, Swan, Taylor, Teale, Toliver, Trear, Tufts, Williams, Wilson, Wood, Wright of Allamakee, and Mr. Speaker.—72.

The nays were—

Messrs. Bonewitz, Durham, Huff, Hunter, Noel, Sater—6.

Absent or not voting—

Messrs. Beatty, Bell, Brown of Fayette, Campbell, DeGroat, Gibbons, Green, Hartshorn, Haycock, Ketcham, Lee, McCoun, Morrison, Sanborn, Spencer, Stewart, Stuteman, Tait, Warner, Wasson, and Wright of Sac—21.

So the bill passed, and the title was agreed to.

Mr. Taylor introduced House File No. 334, A bill for an act to amend section 1061, of the Revision of 1860, in relation to dogs.

Read first and second time and referred to the Committee on Police Regulations.

Mr. Mahin introduced House File No. 335, A bill for an act to amend chapter 12, of the laws of the Thirteenth General Assembly, authorizing the election of Police Judges, in cities acting under special charters.

Read first and second times, and referred to the Committee on Judiciary.

Mr. Russell offered the following resolution :

A proposition to amend the Constitution of the State of Iowa.

*Be it Resolved by the General Assembly of the State of Iowa,* That the following amendment to the Constitution of the State of Iowa is hereby proposed :

Strike the word "white" from section 4 of article 3 thereof.

On its adoption, Messrs. Wilson and Russell demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Crawford Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone,

Swan, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood and Mr. Speaker—73.

The nays were—

Messrs. Bell, Christoph, Crawford, DeGroat, Dunne, Gibbons, Hirschler, Irish, Mills, O'Donnell, Wright of Allamakee—10.

Absent or not voting—

Messrs. Beatty, Brown of Fayette, Campbell, DeGroat, Hartenbower, Hartshorn, Haycock, Lee, Marks, McCoun, Morrison, Spencer, Stutsman, Tait, Warner, and Wright of Sac—16.

So the resolutions were adopted.

On motion of Mr. Tufts, Special Order House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des Moines Valley Railroad Company, and to provide for the sale of the same was taken up.

Mr. Rowell moved the previous question which was not ordered.

Leave was granted the Committee on Ways and Means to sit during the forenoon.

On motion of Mr. Parsons the 15 minutes rule was suspended for the discussion of House File No. 147.

On motion of Mr. Irish the House adjourned.

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TWO O'CLOCK P. M.

The House met pursuant to adjournment.

Leave was granted Mr. Irish to introduce House File No. 226, A bill for an act prescribing the duty of Assessors in certain cases.

Read first and second time and referred to Committee on Ways and Means.

The House resumed the consideration of Special Order House File No. 147.

On motion of Mr. Murdock the consideration of special order for to-morrow morning, substitute for House File No. 238, was postponed until April 1st, at 2 o'clock p. m.

On motion of Mr. Stone, that the consideration of House File No. 147 was made the special order for to-morrow morning at 9 o'clock.

Mr. Hunter offered the following resolution which was referred to the Committee on Printing.

*Resolved*, By the House, the Senate concurring, that the Secretary of State be, and he is hereby authorized and empowered to have printed the usual number of copies of the journals of the 13th General Assembly.

Mr. Traer moved that House File No. 132, A bill for an act to provide for the support and education of the blind be made special order at 10 o'clock, a. m., Tuesday, April 5.



Leave was granted Mr. Gibbons to introduce House File 337, A bill for an act to amend section 3 of chapter 72 of the laws of the Eleventh General Assembly.

Read first and second time and ordered to be engrossed.

On motion of Mr. Gibbons, the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stutsman, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—78.

In the negative—

Mr. Stutsman—1.

Absent or not voting—

Messrs. Applegate, Ball, Beresheim, Christoph, Crawford, Day, Evans, Green, Hartshorn, Hobson, Kasson, Keables, Ketcham, McCoun, Miracle, O'Donnell, Russell, Spencer, Stone, Swan, and Teale—20.

So the bill passed and the title was agreed to.

Leave was granted Mr. Dudley to recall a claim from the Committee on Ways and Means.

Leave granted Mr. Traer to submit the following report from the Committee on Ways and Means.

MR. SPEAKER—Your Committee on Ways and Means, to whom was referred Senate resolution relative to adjournment beg leave to report the same back to the House with the following amendments: Strike out Wednesday the 13th and insert Thursday the 14th. Add to the resolution the words, At not earlier than 12 o'clock noon.

*TRAER, Chairman.*

The question being upon the amendment recommended by the Committee, Mr. Butler moved to strike out the 14th and insert the 8th.

The motion did not prevail.

Mr. Cutts moved to amend by striking out the 14th and inserting 13th and adding the following: At 12 o'clock noon.

The amendment to the amendment was adopted.  
The amendment was adopted.  
The resolution as amended was adopted.  
On motion of Mr. Rowell the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
April 1, 1870. }

The House met pursuant to adjournment, the Speaker in the chair.  
Prayer by Rev. A. I. Hobbs.  
The Journal of yesterday read and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked.

Substitute for Senate File No. 8, A bill for an act in relation to the penalty on certain taxes.

Senate File No. 188, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads.

Senate File No. 218, A bill for an act to legalize the organization and acts, ordinances, orders, notices and proceedings of the city of Fairfield as a city of the second class.

I also return herewith the following bills, which have passed the Senate without amendment.

House File No. 292, A bill for an act to legalize the incorporation of the town of Mason City, Iowa, and the election of officers of said incorporation; also to legalize the acts of *de facto* officers.

House File No. 294, A bill for an act to legalize the election of a sub-director in district number five (5) in the district township of Grant in the county of Cass and State of Iowa on the 12th day of March, 1870.

JAMES M. WEART, *Secretary*,

Leave was granted Messrs. Stutsman, Brown of Fayette, Marks and Campbell to record their votes "yea" on the joint resolution to strike the word white from the Constitution, and Mr. Hartenbower his vote nay.

Leave was granted Mr. Wright of Sac to call up Senate File 188, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads.

Read a first and second time and referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. Traer from the Committee on Ways and Means submitted the following report :

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 67, A bill for an act to amend section 3293 of chapter 125 of the Revision, beg leave to report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 284, A bill for an act to provide additional fees for sheriffs, constables and other persons in certain criminal cases, beg leave to report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

MR. SPEAKER—Your Committee on Ways and Means to whom was referred Senate File No. 135, A bill for an act to provide for the taxation of the real and personal property of express and telegraph companies, beg leave to report that they have had the same under consideration, and a majority of the Committee have instructed me to report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

Mr Dudley from the Committee on Claims submitted the following report :

MR. SPEAKER—Your Committee on Claims, to whom was referred the memorial of Rev. Samuel Storrs Howe, for services as Chaplain in 1860, beg leave to report the same back to the House, with the recommendation that it be not allowed, for the reasons that the General Assembly of that year made the usual appropriation for Chaplain, and left it for the clergy to divide among themselves, as usual, and said Howe's claim should have been settled, if just, by the clergy of Des Moines.

All of which is respectfully submitted,

O. DUDLEY, *Chairman.*

On motion of Mr. Dudley, the report of the Committee on Claims was concurred in.

On motion of Mr. Stone, the special order, House File No. 147, A bill for an act resuming certain lands heretofore granted to the Des

Moines Valley Railroad Company, and to provide for the sale of the same, was taken up.

Mr. Parsons moved the previous question, which was seconded.

On the question, shall the main question be now put? it was decided in the affirmative.

On the question ordering the bill engrossed, Messrs. Parsons and Cutts demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ball, Beatty, Bonewitz, Brown of Fayette, Butterfield, Carpenter, Dickerson, Dumont, Dunne, Harrison, Hartenbower, Hartshorn, Hopkins, Hopkirk, Hunter, Jones, Lee, Mahin, Marks, Merritt, Miles of Washington, Miller, Mills, Murdock, O'Donnell, Parsons, Pratt, Russell, Sater, Snow, Swan, Teale, Traer, Tufts, Wasson, Wilson, Wood, and Wright of Allamakee—38.

The yeas were—

Messrs. Arnold, Bell, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Durham, Elbert, Evans, Faville, Gibbons, Harper, Haycock, Hirschler, Hobson, Hood, Huff, Irish, Kasson, Keables, Lacey, Lommen, McGavren, Miles of Wayne, Millard, Miracle, Newbold, Noel, Norris, Rohlf, Rosser, Rowell, Sanborn, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Toliver, Warner, Williams, Wright of Sac, and Mr. Speaker—51.

Absent or not voting—

Messrs. Applegate, Bereshiem, Dudley, Green, Harrington, Ketcham, McCoun, Morrison, Rogers, and Spencer—10.

So the House refused to order the bill engrossed.

Mr. Williams moved to take up Senate File No. 101, A bill for an act to provide for the purchase of G. Greene's Reports of the decisions of the Supreme Court of Iowa.

The motion prevailed.

Mr. Russell moved to lay the bill on the table, on which Messrs. Russell and Irish Demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ball, Beatty, Beresheim, Brown of Van Buren, Bundy, Butterfield, Carver, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Harper, Harrington, Harrison, Haycock, Hopkins, Hopkirk, Keables, Lommen, Mahin, Miles of Washington, Miles of Wayne, Miller, Newbold, Noel, Norris, Rosser, Russell, Sater, Satterthwaite, Snow, Tait, Taylor, Teale, Tufts, Wilson, and Wood—39.

The yeas were—

Messrs. Arnold, Bell, Bonewitz, Brown of Fayette, Butler, Campbell, Carpenter, Christoph, Crawford, Cutts, Day, DeGroat, Dunne, Elbert, Gibbons, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Jones, Lacey, Lee, Marks, McGavren, Merritt, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers,

Rohlfs, Rowell, Sanborn, Stanchfield, Stewart, Stone, Stutsman, Swan, Toliver, Traer, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker—58.

Absent or not voting—

Messrs. Applegate, Green, Kasson, Ketcham, McCoun, Morrison, and Spencer—7.

So the motion to lay on the table did not prevail.

Mr. Traer moved the previous question, which was seconded.

On the question, shall the main question be now put? it was decided in the affirmative.

On the question of engrossing the bill, Messrs. Russell and Teale, demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Arnold, Bell, Brown of Fayette, Butler, Campbell, Carpenter, Christoph, Crawford, Day, DeGroat, Dudley, Dunne, Elbert, Gibbons, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Huff, Irish, Jones, Lacey, Lee, Marks, McGavren, Merritt, Millard, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlfs, Rowell, Sanborn, Stanchfield, Stone, Stutsman, Swan, Toliver, Traer, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker—50.

The nays were—

Messrs. Ball, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Carver, Cutts, Dickerson, Dumont, Durham, Evans Faville, Harper, Harrington, Harrison, Haycock, Hopkins, Hopkirk, Hunter, Lommen, Mahin, Miles of Washington, Miles of Wayne, Miller, Newbold, Noel, Norris, Rosser, Russell, Sater, Satterthwaite, Snow, Stewart, Tait, Taylor, Teale, Tufts, Wilson, and Wood—41.

Absent or not voting—

Messrs. Applegate, Green, Kasson, Keables, Ketcham, McCoun, Morrison, and Spencer—8.

So the bill was ordered engrossed for a third reading.

Mr. Dudley moved to reconsider the vote by which the bill was ordered engrossed.

Mr. Russell moved that the House adjourn.

The motion prevailed and the House adjourned.

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TWO O'CLOCK P. M.

The House met pursuant to adjournment.  
Speaker in the chair.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that

the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 78, A bill for an act to authorize and empower cities to build and maintain toll bridges, and to provide therefor.

Senate File No. 198, A bill for an act releasing to James H. Jordan, of Davis county, Iowa, the interest of the State of Iowa in and to the north half of section 10, township 70, north of range 12, west, in Davis county, Iowa.

Also the following, with amendments, in which the concurrence of the House is asked :

House File No. 264, A bill for an act for the taxation of railroad property, with amendments as noted on the bill.

House File No. 43, A bill for an act to amend section 1125, of the Revision of 1860, amended by striking out in the last line the word "five," and inserting "two."

J. A. T. HULL,  
*1st Assist. Secretary.*

Mr. Williams moved that the House resume the consideration of Senate File No. 101, a bill for an act to provide for the purchase of G. Greene's Reports of the Decisions of the Supreme Court of Iowa.

The motion prevailed.

The question recurring on the motion to reconsider, Mr. Harper moved to lay the motion to reconsider on the table.

The motion prevailed.

Mr. Russell moved that the rule be suspended and the bill read a third time now.

Mr. Irish moved a call of the House, which was not seconded.

The motion to suspend the rule did not prevail.

Leave was granted Mr. Stutsman to introduce House File No. 338, A bill for an act fixing the compensation of certain officers and employees of the Legislature of the State of Iowa.

Read first and second times, and referred to Committee on Ways and Means,

Leave was granted Mr. Beatty to record his vote on the resolution striking the word "white" from the Constitution, "yea," and Mr. Applegate, his vote on House File No. 147, "yea."

The hour having arrived for the consideration of the special order, Substitute for House File No. 238, A bill for an act to provide a system of common schools, on motion of Mr. Harper, the House took up the special order.

The House resolved itself into a Committee of the Whole, with Mr. Harper in the chair.

The Committee arose and reported progress, and asked leave to sit again.

Mr. Wright, of Sac, moved that the bill under consideration be

recommitted to the Committee on Schools, with instructions to report on Tuesday next.

On motion of Mr. Stanchfield, the House concurred in the report of the Committee.

Mr. Dudley moved to amend, "with instructions to make all districts independent.

The motion was lost.

The motion to refer with instructions prevailed.

Leave was granted Mr. Traer to offer the following resolution.

*Resolved*, That during the remainder of this session, no leave of absence shall be granted except in case of sickness, and in no case without leave being granted by motion duly stated and carried.

Mr. Cutts moved to lay the resolution on the table.

The motion prevailed.

Mr. Wilson moved to reconsider the vote by which the House adopted the joint resolution in reference to adjourning *sine die* of the General Assembly.

Mr. Irish (by leave) introduced the following resolution, which was adopted.

*Resolved*, That the Judiciary Committee be instructed to report back to this House next Monday the bill for resumption of the Tete Des Morts Land Grant.

Leave was granted Mr. Harrison to introduce House File No. 889, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary.

Read first and second time and referred to the Committee on Penitentiary.

Leave was granted Mr. Brown of Van Buren to introduce House File No. 840, A bill for an act to amend chapter 84, laws of the Tenth General Assembly.

Read first and second time and referred to the Committee on Military Affairs.

Leave was granted Mr. Rogers to call up House File No. 43, A bill for an act to amend section 1125 of chapter 51 of the Revision of 1860.

On the adoption of the Senate amendment the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Cutts, Day, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Millard, Miller, Mills, Murdock, Noel, Norris, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Swan, Taylor, Teale,

Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—78.

In the negative—

Mr. Dickerson—1.

Absent or not voting—

Messrs. Ball, Brown of Fayette, Campbell, Crawford, DeGroat, Hartshorn, Ketcham, Marks, McCoun, Miles of Washington, Miles of Wayne, Miracle, Morrison, Newbold, O'Donnell, Parsons, Russell, Spencer, Stutsman, Tait—20.

So the amendments were concurred in.

Leave was granted Mr. Bundy to call up House File No. 205, A bill for an act to legalize the acts of I. E. Draper, Notary Public, of Jasper County, Iowa.

The bill was ordered to be engrossed.

Mr. Bundy moved that the publication clause be amended as follows: Strike out Daily State Register and Des Moines Bulletin and insert as follows: "The Newton Free Press and Jasper County Republican, without expense to the State."

The motion prevailed.

On motion of Mr. Bundy the rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Rosser, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Swan, Taylor, Teale, Traer, Toliver, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—77.

The nays were none.

Absent or not voting—

Messrs. Ball, Bell, Brown of Fayette, Campbell, Christoph, Crawford, Day, DeGroat, Green, Hartshorn, Hobson, Ketcham, Marks, McCoun, Morrison, Murdock, Newbold, Russell, Spencer, Stone, Stutsman, and Tait—22.

So the bill passed and the title was agreed to.

Leave was granted Mr. Wasson to call up House File No. 256, A bill for an act to enable counties to supply Justices of the Peace with Conklin's Iowa Justice.



Mr. Cutts moved to amend by adding, after the word "empowered," in section 1, second line, the words, "in their discretion."

The bill was ordered engrossed.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Murdock, Noel, Norris, Parsons, Pratt, Rosser, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Swan, Toliver, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—68.

The nays were—

Messrs. Harper, Rohlf, Taylor, Teale—4.

Absent or not voting—

Messrs. Ball, Brown of Fayette, Campbell, Christoph, Crawford, Day, DeGroat, Green, Hobson, Ketcham, Marks, McOoun, Miles of Wayne, Miracle, Morrison, Murdock, Newbold, O'Donnell, Rowell, Russell, Spencer, Stone, Stutsman, Tait, Warner, Williams, and Wood—27.

So the bill passed and the title was agreed to.

Mr. Toliver, from the Committee on Enrolled Bills, presented the following report:

**MR. SPEAKER**—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

Joint resolution for the relief of William B. Critchfield and Henry C. Anderson, late soldiers of 13th Iowa Infantry.

Senate File No. 92, A bill for an act to authorize the working of persons confined in the jails of the State, and to protect prisoners.

House File No. 147, A bill for an act to legalize the erection of sub-district No. 3, Perry township, Marion county, Iowa.

House File No. 325, A bill for an act to provide for the publication and distribution of the laws of the Thirteenth General Assembly of the State of Iowa.

Preamble and joint resolution in relation to the improvement of the Des Moines Rapids of the Mississippi river.

House File No 120, A bill for an act to legalize the acts of Daniel Conrad, while acting as Justice of the Peace, in Deep Creek township, Clinton county.

G. S. TOLIVER, *Chairman*.

On motion of Mr. Millard the messages on the Speaker's table were taken up.

Senate File No. 218, A bill for an act to provide for proper reference and publication of proposals to amend the State Constitution.

Read first and second times and referred to the Committee on Constitutional Amendments.

Senate file No. 198, A bill for an act releasing to James H. Jordan of Davis county, Iowa, the interest of the State of Iowa in and to the north half of section 10, township 70, north of range 12, west, in Davis county, Iowa.

Read first and second times, and referred to the Committee on Judiciary.

Senate File No. 73, A bill for an act to empower cities to build toll bridges and issue bonds.

Read first and second times, and referred to Committee on Roads and Highways.

Substitute for Senate File No. 162, A bill for an act defining and establishing the salary of the Governor and other State officers, and Judges of the several Courts of the State.

Read first and second times, and referred to the Committee on Compensation of Public Officers.

Substitute for Senate File No. 8, An act in relation to the penalty on certain taxes, was read first and second times, and referred to a Special Committee on County Indebtedness.

Senate File No. 213, A bill for an act to legalize the organization, acts, ordinances, orders, notices, and proceedings of the city of Fairfield as a city of the second class, was read a first and second time.

The bill was ordered engrossed and read a third time.

On motion of Mr. Hopkirk, the rule was suspended and the bill read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahan, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stutsman, Swan, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wood, Wright of Sac, and Mr. Speaker—76.

The nays were none.

Absent or not voting—

Messrs. Ball, Brown of Fayette, Campbell, Christoph, Crawford,

Day, DeGroat, Hirschler, Ketcham, Marks, McCoun, Miles of Wayne, Morrison, Murdock, Newbold, O'Donnell, Rowell, Russell, Spencer, Stone, Tait, Warner, Wilson, and Wright of Allamakee—23.

So the bill was passed and title was agreed to.

House File No. 264, A bill for an act providing for the taxation of the property of railroad companies, was taken up with Senate amendments.

On motion of Mr. Dudley, the House refused to concur in the amendment.

Mr. Cutts moved to reconsider the vote by which the House refused to concur in the Senate amendment.

The motion did not prevail.

Leave was granted Mr. Murdock to introduce House File No. 341, A bill for an act to repeal a part of section 1, chapter 165, of the laws of the Twelfth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

Leave of absence was granted Messrs. Gibbons, Murdock, Statesman, Noel, and Satterthwaite till Monday.

On motion of Mr. Irish, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
April 2, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. M. Geiger.

Journal of yesterday read and approved.

Mr. Tait asked leave to record his vote on the joint resolution striking the word "white" from article four section 5 of the Constitution. Mr. Tait voted "yea."

#### REPORTS OF COMMITTEES.

Mr. Toliver from the Committee on Enrolled Bills made the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

Senate File No. 121, A bill for an act changing the time of holding the District Court at Keokuk, Lee county.

Senate File No. 167, A bill for an act legalizing the acts of the independent school district of Monroe, Iowa.

Senate File No. 142, A bill for an act relative to the claim of S. A. Robertson for work done on State House.

Senate File No. 24, A bill for an act to legalize new indexes in the Recorder's office of Lee county, Iowa, at Keokuk.

House File No. 294, A bill for an act to legalize the election of a sub-director in district No. 5 in the district township of Grant, in the county of Cass and State of Iowa, on the 12th day of March, 1870.

A proposal to amend the Constitution of the State of Iowa, and to provide for its reference and publication.

Senate File No. 36, A bill for an act to authorize the improvement of streets and alleys.

Senate File No. 74, A bill for an act amending article 8 of chapter 55 of the revision of 1860, granting right of way to railroad companies.

G. S. TOLIVER, *Chairman*.

Mr. Mahin from the Committee on Printing submitted the following report:

MR. SPEAKER—Your Committee on Printing to whom was referred joint resolution authorizing and empowering the printing of three thousand copies of the Journal of the 18th General Assembly, making the proper distribution to each House, beg leave to report the same back to the House, with the recommendation that it do pass.

MAHIN, *Chairman*.

Mr. Mahin moved to strike out the distribution clause in the resolution.

The motion prevailed.

Mr. Irish moved the adoption of the report of the Committee.

The motion prevailed.

Mr. Bundy from the Committee on Library made the following report:

MR. SPEAKER—Your Committee on Public Library to whom was recommitted Senate File 87, A bill for an act regulating the appointment and duties of State Librarian, beg leave to report the same back to the House as it passed the Senate, with the following substitute for the 14th section:

The Librarian may, with the consent of the Census Board, put up such shelving and repairs and alterations as are necessary in the Library room, and only by and with the consent of the Judges of the Supreme Court shall add so much of the Supreme Court room as they may deem necessary for the enlargement of the Library.

Thus amended your Committee recommend that it do pass.

O. BUNDY, *Chairman*.

Mr. Rowell from the Judiciary Committee made the following report :

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 200, A bill for an act for the relief of Harrison county, Iowa, for money stolen from the county safe, beg leave to report the same back to the House with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 198, A bill for an act releasing to James H. Jordan, of Davis county Iowa, the interest of the State of Iowa in and to the north half of Section ten (10), township seventy (70), north of range twelve (12), west, in Davis county, Iowa, beg leave to report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Leave was granted Mr. Brown, of Van Buren, to call up Senate File No. 198, A bill for an act releasing to James H. Jordan, of Davis county, Iowa, the interest of the State of Iowa in and to the north half of section 10, township 70, north of range 12, west, in Davis county, Iowa.

Mr. Irish moved to amend as follows: By adding, *Provided*, That the party claiming to be the owner of said lands shall pay the taxable costs of the litigation now in progress, relative to the title to said lands.

The motion to amend was withdrawn.

Mr. Dudley moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bone-witz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacy, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stanchfield, Stewart, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—84.

The nays were none.

Absent or not voting—

Messrs. Faville, Gibbons, Hartenbower, Ketcham, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Satterthwaite, Spencer, Stone, Statsman, and Warner—15.

So the bill passed and the title was agreed to.

Mr. Brown, of Fayette, from the Committee on Military Affairs, submitted the following report :

MR. SPEAKER—Your Committee, to whom was referred House File No 84, a bill for an act to reduce the military establishment of the State, to a peace footing, have directed me to report that in their opinion, the reduction proposed in the bill would be prejudicial to the interests of the State, and they recommend that the bill do not pass.

AARON BROWN, *Chairman*.

Mr. Hunter, from the Committee on Compensation of Public Officers, submitted the following report :

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred the petition of J. A. Eddy, and sundry others, praying for an increase in the pay of guards of the Iowa Penitentiary, beg leave to report the accompanying bill, with the recommendation that it do pass.

JOHN D. HUNTER, *Chairman*.

#### INTRODUCTION OF BILLS.

Mr. Arnold introduced House File No. 842, A bill for an act to repeal section 2281, of the Revision of 1860, in relation to homestead exemptions, and enact a section in lieu thereof.

Read a first and second time, and referred to the Committee on Judiciary, and ordered printed.

Mr. Hunter, from the Committee on Compensation of Public Officers, introduced House File No. 843, A bill for an act to increase the pay of guards of the Iowa Penitentiary.

Read a first and second time and placed on file.

Mr. Pratt introduced House File No. 844, A bill for an act to legalize the issue of certain school warrants by the board of directors of the district township of St. Charles, in Floyd county, Iowa, and the levy of taxes to pay the same.

Read a first and second time.

Mr. Pratt moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell,

Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, Merritt, Millard, Miller, Mills, Miracle, Newbold, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—79.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Day, Dickerson, Faville, Gibbons, Ketcham, McCoun, McGavren, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Norris, Rogers, Satterthwaite, Spencer, Stutsman, Warner and Wasson—20.

So the bill passed and the title was agreed to.

Mr. Elbert introduced House File No. 345, A bill for an act to amend section 2576 of the Revision of 1860.

Read a first and second time and referred to the Committee on Judiciary.

Mr. Elbert introduced House File No. 346, A bill for an act to amend section 1491 of the Revision of 1860.

Read a first and second time and referred to the Committee on Insane Asylum.

Mr. Butler introduced House File No. 347, A bill for an act to legalize the acts of the Board of Supervisors of Page county, Iowa.

Read a first and second time and referred to the Committee on Judiciary.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills in which the concurrence of the House is asked.

Senate File No. 95, A bill for an act creating a commission to revise the statutes of Iowa and defining their duties, and providing for the publication and distribution of their report.

Senate File No. 156, A bill for an act to legalize the organization of the independent school district of Moingona, and the official acts of the officers of said district.

Senate File No. 172, A bill for an act making appropriation for the Hospital for the Insane at Mt. Pleasant.

Senate File No. 175, A bill for an act to provide for furnishing the Deaf and Dumb Asylum at Council Bluffs, and for the removal and maintenance of the school.

House File No. 321, A bill for an act empowering the Governor to release certain lands in Pocahontas county to the United States, with an amendment to the 2d section so that it shall read, "A newspaper published at Des Moines, and in the Pocahontas Journal, a newspaper published in Pocahontas county, Iowa; provided, such publication be made without expense to the State;" in which the concurrence of the House is asked.

JAMES M. WEART, *Secretary*.

Mr. Snow introduced House File No. 348, A bill for an act to legalize certain acts of the Auditor of Audubon county.

Read a first and second time.

Mr. Snow moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, McGavren, Merritt, Millard, Mills, Newbold, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stanchfield, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—74.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Dudley, Faville, Gibbons, Hartenbower, Hunter, Ketcham, Mahin, Marks, McCoun, Miles of Washington, Miles of Wayne, Miller, Miracle, Morrison, Murdock, Noel, Norris, Parsons, Satterthwaite, Stewart, Statsman, Warner, Wilson and Spencer.—25.

So the bill passed and the title was agreed to.

Leave was granted Mr. Crawford to submit a report on the Blind Asylum.

MR. SPEAKER—The Committee on the Blind Asylum to whom was referred the joint resolution appointing Trustees for said Asylum beg leave to report the same back, and recommend that it do pass.

T. CRAWFORD, *for the Committee*.

On motion of Mr. Traer the resolution was made the special order for Tuesday, April 5th, at 10 o'clock A. M.



Mr. Sanborn offered a joint resolution in regard to money order offices.

The resolution was adopted.

Mr. Applegate introduced the following resolution, which, on motion of Mr. Wilson, was laid on the table.

*Whereas*, In view of the shortness of the time up to the 13th day of April, on which day, the 13th General Assembly is to adjourn, and,

*Whereas*, There is a large amount of business yet to be completed therefore,

*Be it resolved*, That no member shall be allowed to speak on one question more than 15 minutes without the unanimous consent of the House.

C. C. APPLGATE.

Mr. Sanborn offered the following resolution, which was adopted :

*Resolved*, That the Committee on Ways and Means be instructed to inquire into the propriety of publishing an "Abstract of the United States Census for 1870" so far as the same relates to the State of Iowa, and to report to this House by bill, or otherwise.

#### MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 175, A bill for an act to provide for furnishing the Deaf and Dumb Asylum at Council Bluffs and for the removal and maintenance of the school.

Read a first and second time.

Mr. Beresheim moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutta, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Lacey, Lee, Lommen, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—78.

The nays were none.

Absent or not voting—

Messrs. Elbert, Faville, Gibbons, Hartenbower, Hunter, Keables,

Ketcham, Mahin, Marks, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Pratt, Satterthwaite, Spencer, Stutsman, and Warner—21.

So the bill passed and the title was agreed to.

Mr. Kasson moved that Senate file No. 73, A bill for an act to authorize and empower cities to construct and maintain toll bridges be taken up.

The motion prevailed.

Read a second time.

Mr. Kasson moved that the rule be suspended and the bill read a third time.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Tufts, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker—74.

The nays were—

Messrs. Carpenter, Harper, Traer, and Wood—5.

Absent or not voting—

Messrs. Butterfield, Faville, Gibbons, Hartenbower, Hunter, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Norris, O'Donnell, Satterthwaite, Spencer, Stanchfield, Stutsman, and Warner—20.

So the bill passed and the title was agreed to.

House File No. 321, A bill for an act empowering the Governor to release certain lands.

The question being on the adoption of the Senate amendment the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Green, Harper, Harrington, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Stone, Swan,

Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—78.

The nays were none.

Absent or not voting—

Messrs. Ball, Butterfield, Faville, Gibbons, Harrison, Hartenbower, Hirschler, Hunter, Ketcham, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Norris, Satterthwaite, Spencer, Stanchfield, Stutsman, and Warner—21.

So the amendment was aged to.

Senate File No. 172, A bill for an act making further appropriation for the Hospital for the Insane, at Mount Pleasant.

Read a first and second time and referred to Committee on Insane Asylum.

Senate File No. 156, A bill for an act to legalize the organization of the Independent School District of Moingona, and the official acts of the officers of said district.

Read a first and second time.

Mr. Hopkins moved that the rule be suspended and the bill read a third time.

The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:—

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Mills, Newbold, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—74.

The nays were—

Mr. Rogers—1

Absent or not voting—

Messrs. Ball, Butterfield, Day, Faville, Gibbons, Green, Harper, Hartenbower, Keables, Ketcham, McCoun, Miles of Washington, Miles of Wayne, Miracle, Morrison, Murdock, Noel, Norris, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, and Warner—24.

So the bill passed and the title was agreed to.

Senate File No. 95, A bill for an act creating a Commission to revise the Statutes of Iowa, and defining their duties, and providing for the publication and distribution of their report.

Read a first and second time.

Mr. Dunne moved that the name of William J. Knight, of Dubuque, be stricken out of the Commission, and the name of William E. Leffingwell, of Clinton, inserted.

Mr. Crawford moved to amend by inserting the name of James Dunne, of Jackson.

Mr. Traer moved the previous question, which was seconded, and the main question ordered.

The question being on the motion to amend the amendments, the motion prevailed.

The question recurring on the adoption of the amendment as amended, the motion did not prevail.

The bill was ordered to be engrossed and read a third time.

Mr. Irish moved that the rule be suspended and the bill read a third time.

The motion prevailed and the bill was read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Green, Harper, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Swan, Taylor, Teale, Toliver, Traer, Wasson, Williams, Wilson, Wright of Allamakee, and Mr. Speaker—70.

The nays were—

Messrs. Ball, Beatty, Bonewitz, Bundy, Dunne, Harrington, Hopkirk, and Wright of Sac—8.

Absent or not voting—

Messrs. Faville, Gibbons, Hartenbower, Kasson, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Norris, Russell, Satterthwaite, Spencer, Stutsman, Tait, Tufts, Warner, and Wood—21.

So the bill passed and the title was agreed to.

Mr. Rowell moved that when the House adjourn, it be until 9 o'clock A. M. Monday.

The motion prevailed.

Mr. Beresheim moved that the House adjourn.

The motion did not prevail.

Mr. Applegate introduced House File No. 349, a bill for an act to repeal chapter 20, of the Extra Session of the Ninth General Assembly, and re-enact chapter 76, laws of the Ninth General Assembly.

Read a first and second time and referred to the Committee on Agriculture.

Mr. Mills introduced House File No. 350, A bill for an act to grant enlarged powers to cities acting under special charters.

Read a first and second time, and referred to the Committee on Judiciary.

Mr. Traer called up House File No. 227, A bill for an act repealing section 1332, of the Revision of 1860, and regulating the consolidation and leasing of railroads.

On motion, the bill was made the special order for Tuesday, April 5, at 3 o'clock P. M.

Leave was granted Mr. Millard to introduce House File No. 351, A bill for an act to provide for the erection of school districts from territory lying in adjoining counties.

Read a first and second time, and referred to the Committee on Schools.

Mr. Day moved that the House adjourn.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
April 4, 1870.

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. C. B. Jones.

The journal of Saturday read and approved.

Mr. Lee moved that House File No. 182, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney and ducts, and the improvement of the grounds and farm of the Iowa Hospital for the Insane, at Independence, to be taken up.

The motion prevailed.

Mr. Lee moved that the bill be laid on the table.

The motion prevailed.

#### REPORTS OF COMMITTEES.

Mr. Rowell from the Committee on Judiciary submitted the following reports:

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 322, A bill for an act to amend section 2689, Revision 1860, report the same back to the House, with the recommendation that it do not pass.

N. W. ROWELL, *Chairman*.

MR. SPEAKER—Your Committee on Judiciary to whom was referred Senate File No. 196, A bill for an act to amend section 2833, of Revision 1860, have had the same under consideration, and majority of the Committee have instructed me to report the same back to the House, with recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 335, A bill for an act to amend chapter 12, of the laws of the Thirteenth General Assembly, report the same back to the House, with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 345, A bill for an act to amend section 2376, Revision of 1860, report the same back to the House, with the recommendation that it do not pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred joint resolution relative to Onawa branch of the Cedar Rapids and Missouri River Railroad report the same back to the House, with the recommendation that it do pass, with an amendment adding to said resolution the words, "Provided, that in his opinion the State has the power to compel the construction of said road."

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 298, A bill for an act to legalize the issue of bonds in the independent school district of Bloomfield, Davis county, Iowa, report back to the House the accompanying substitute, and recommend its passage.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your committee on Judiciary to whom was referred House No. 341, A bill for an act to repeal a part of section one, chapter 165 of the laws of the Twelfth General Assembly report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 318, A bill for an act in relation to fees of Justices of the Peace and Constables, report the same back to the

House, with the recommendation that it do pass, after striking out all of the first section after the enacting clause.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 300, A bill for an act to amend sections 3324 and 3325, Revision of 1860, report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

MR. SPEAKER—Your Committee on Judiciary to whom was referred House File No. 350, A bill for an act to grant enlarged powers to cities acting under special charters, report the same back to the House, with the recommendation that it do pass.

N. W. ROWELL, *Chairman.*

Mr. Harper, from the Committee on Schools, submitted the following reports :

MR. SPEAKER—Your Committee on Schools to whom was referred petition of A. R. Cherry and other citizens, of sub-district No. 6, district township, of Pleasant Valley, Johnson county, asking for a special act creating an independent school district in said township, to be known as "Independent School District of Pleasant Valley," report that in their opinion, it would not be expedient for this Legislature to pass a special act, as asked for by petitioners.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred petition of O. C. Keith and others, asking for authority to convey the public square in the town of Oakfield, county of Audubon, to sub-district No. 3, in district township of Oakfield, for a school-house site, report the same back to the House, with the recommendation that in the opinion of the Committee, the Legislature has not the right to pass a special law as asked for by petitioners, and they therefore recommend that the prayer of petitioners be not granted.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred House File No. 328, A bill for an act to provide for creating an independent school district in a certain place in Mills county, report the same back to the House, with the recommendation that it do not pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools, to whom was referred House File No. 326, A bill for an act to repeal chapter 29, of the laws of the Twelfth General Assembly, report the same back to the House, with the recommendation that it do not pass.

HARPER, *Chairman.*

Mr. Toliver from the Committee on County and Township Organization submitted the following reports:

MR. SPEAKER—Your Committee on County and Township Organizations, to whom was referred House File No. 327, A bill for an act to amend section 888 and 911, chapter 46, of the Revision of 1860, increasing pay of Road Supervisors and Township Clerk, report the same back to the House, with the recommendation that it do not pass.

G. S. TOLIVER, *Chairman.*

MR. SPEAKER—Your Committee on County and Township Organization to whom was referred House File No. 228, A bill for an act to allow compensation to members of the board of directors of district townships, report a substitute therefor back to the House, with the recommendation that said substitute do pass.

G. S. TOLIVER, *Chairman.*

Mr. Toliver from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—The Committee on enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

House File No. 48, A bill for an act to amend section 1125 of chapter 51 of the Revision of 1860.

House File No. 292, A bill for an act to legalize the incorporation of the town of Mason City, Iowa, and the election of officers for said incorporation; also to legalize the acts of the *de facto* officers.

House File No. 821, A bill for an act empowering the Governor to release certain lands in Pocahontas county to the United States.

G. S. TOLIVER, *Chairman.*

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate have passed the following bill and memorial, in which the concurrence of the House is asked.



Substitute for Senate File No. 42, A bill for an act to protect persons engaged in any lawful business, and for the protection of the mining of coal.

Memorial to Congress in reference to the improvement of the Fox and Wisconsin rivers.

I also herewith return the following bill, which has passed the Senate without amendment:

House File No. 60, A bill for an act to amend article 3, chapter 29 of the Revision of 1860.

JAMES. M. WEART, *Secretary.*

#### INTRODUCTION OF BILLS.

Mr. Taylor introduced House File No. 352, A bill for an act to legalize the issue of warrants by the directors of independent school district of Strawberry Point, Clayton county.

Read a first and second time.

Mr. Taylor moved that the bill be engrossed.

The motion prevailed.

Mr. Taylor moved that the rule be suspended, and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bereshiem, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Newbold, Norris, O'Donnell, Parsons, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Taylor, Teale, Toliver, Traer, Warner, Wasson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—72.

The nays were—Mr. Carpenter—1.

Absent or not voting—

Messrs. Bell, Bundy, Untts, Day, Dudley, Gibbons, Harrison, Hartenbower, Huff, Ketcham, McCoun, Miles of Washington, Miles of Wayne, Morrison, Murdock, Noel, Pratt, Rogers, Satterthwaite, Spencer, Stutsman, Swan, Tait, Tufts, Williams, and Wilson—26.

So the bill passed and the title was agreed to.

Mr. Miracle from the Committee on Incorporations had leave to submit the following reports:

MR. SPEAKER—Your Committee on Incorporations to whom was

referred Senate File No. 90, A bill for an act to amend chapter 52 and 53, of the Revision of 1860, have had the same under consideration, and a majority of said Committee have instructed me to report the same back to the House, with the recommendation that it do pass.

J. D. MIRACLE, *Chairman.*

MR. SPEAKER—Your Committee on Incorporations to whom was referred Senate File No. 111, A bill for an act to amend section 40, chapter 188 of the acts of the 12th General Assembly, to regulate Insurance Companies, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

J. D. MIRACLE, *Chairman.*

MR. SPEAKER—Your Committee on Incorporations to whom was referred House File No. 310, A bill for an act to define the rights of church corporations in certain cases, have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

J. D. MIRACLE, *Chairman.*

Mr. Green introduced House File No. 353, A bill for an act regulating the duties of innkeepers.

Read a first and second time and ordered to be engrossed.

#### RESOLUTIONS.

Mr. Morrison introduced the following resolution :

*Resolved by the House of Representatives the Senate concurring,* That the Trustees for the Institution for the Blind, be authorized to pay the expenses, not exceeding \$113.00, of their late visit to Des Moines, out of the Contingent Fund, and that the proceeds of the concert in this place be equally divided by the Trustees among the pupils of said Institution.

The resolution was adopted.

Mr. Huff introduced the following resolution :

*Resolved,* That on and after Thursday, the 7th inst., this House do hold night sessions until the close of the session, commencing at 7½ o'clock p. m. each evening.

On motion of Mr Russell the resolution was laid on the table.

Mr. Kasson moved the following resolution which was adopted :

*Resolved,* That the Committee on Ways and Means be instructed to insert in the proper appropriation bill the amounts reported to them by the several visiting committees, as their expenses in visiting

the several State Institutions during this session of the General Assembly.

#### MESSAGES ON SPEAKER'S TABLE.

Substitute for Senate File No. 42, A bill for an act to protect persons engaged in any lawful business and for the protection of the mining of coal.

Mr. Stone moved that all of the bill except first, second, and last sections be stricken out.

Mr. Dudley moved that the bill be referred to Committee on Judiciary.

The motion prevailed.

Memorial to Congress in reference to the improvement of the Fox and Wisconsin rivers.

Referred to the Committee on Federal Relations.

#### BILLS ON SECOND READING.

Mr. Sater called up the substitute for House Files 59 and 98, A bill for an act to provide for the draining of lands.

On motion of Mr. Brown of Van Buren, the substitute was adopted as an amendment to House Files 59 and 98.

Mr. Sater moved to amend the first section by inserting at the end of the eighth line after the word same, the following "and to inquire and determine whether such ditch or drain is necessary for the proper cultivation of the same, and whether the permanent assessed value of said lands will be increased by such drain."

The amendment was adopted.

Mr. Morrison moved that all after the word "specifications" in the fifth line of the fifth section be stricken out.

The motion did not prevail.

Mr. Brown of Van Buren moved to amend section five as follows: add to the end of said section "provided personal service has been had on the party either within or without the State."

The motion prevailed.

Mr. Huff offered the following amendment which was adopted:

Add to section 8, the words "and the same shall be filed with the Township Clerk, who shall approve it, and immediately thereafter shall certify all the original papers to the Clerk of the Circuit Court."

The substitute as amended was adopted.

Mr. Brown of Van Buren moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

Mr. Brown of Van Buren moved to strike out section four.

The motion prevailed.

Mr. Brown, of Van Buren, moved to amend section 6, by adding to section 6 the following:

"And if no damages be assessed, then the applicant shall have full power to enter upon the land through which said drain passes, with the necessary implements to accomplish said work."

The amendment was adopted.

The question being on the engrossment of the bill, the motion prevailed.

Mr. Sater moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Carver, Cutts, Day, Dndley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Miracle, Morrison, Newbold, Norris, Pratt, Rogers, Rosser, Rowell, Sanborn, Sater, Snow, Stewart, Taylor, Teale, Toliver, Traer, Warner, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—68.

The nays were—

Messrs. Beresheim, Butterfield, Carpenter, Christoph, Crawford, Dickerson, Green, Hirschler, O'Donnell, Rohlf, Russell, Stone, Wasson, Williams, Wright of Sac—15.

Absent or not voting—

Messrs. Bundy, DeGroat, Gibbons, Hartenbower, Hartshorn, Ketcham, Mahin, McConn, Miles of Washington, Miles of Wayne, Mills, Murdock, Noel, Parsons, Satterthwaite, Spencer, Stutsman, Stanchfield, Swan, Tait, and Tufts—21.

So the bill passed and the title was agreed to.

Mr. Brown, of Van Buren, moved that House File No. 98 be laid upon the table.

The motion prevailed.

Leave was granted Mr. Pratt, from the Committee on Investigation, to submit the following report, which was laid on the table:

MR. SPEAKER—Your Committee appointed to investigate the alleged attempts to corrupt Mr. Haycock, a member of this House from Keokuk county, beg leave to report that they have prosecuted their investigation as far as they are able, and from the testimony before them, they find the following facts.

1. That about the first of March, A. D. 1870, one H. L. Henry, who resides at Council Bluffs, came to Des Moines in response to a telegram from James A. Williamson, which is in the words and figures following, to-wit:

DES MOINES, March 1, 1870.

H. L. HENRY—Come on this evenings's train.

(Signed)

JAMES A. WILLIAMSON.

That Henry arrived here on the morning of the second of March, 1870, and remained until after the vote in the House on the engrossment of the bill known as the Capitol Appropriation Bill.

2. That Henry's business in Des Moines at that time was to lobby for the passage of the Capitol Appropriation bill, and that while he was here he was busily engaged urging its passage with the members of the House.

3. That while Henry was in Des Moines, and working for the Capitol Appropriation bill as aforesaid, he used corrupt means to induce certain members of this House to vote for that bill. That he offered B. A. Haycock, a member of this House from Keokuk county, the sum of two thousand dollars in consideration that he (Haycock) and his colleague would vote for the Capitol bill. That he asked John W. Green, a member of this House from Scott county, if five thousand dollars would be any inducement for him to vote for that bill.

4th. Your Committee further find that said Henry talked with several other members of this House in favor of the passage of the Capitol bill, but it does not appear that he made them offers of money or resorted to illegal means to induce them to support the bill.

5th. They also find that said Henry is a man of corrupt and immoral character, and that when he came to Des Moines on the morning of the 2d of March as aforesaid, he was acquainted with only three members of this House.

6th. And your Committee would further state that it does not appear that any member has received any money or other valuable consideration as an inducement to vote for or against the Capitol Bill; nor does it appear that any member of this House has voted for or against the bill in consideration of any promise of any money or other valuable thing, nor have your Committee been able to ascertain that any person has used corrupt or illegal means to procure the votes of any members of this House for or against the Capitol bill except the aforesaid H. L. Henry.

Your Committee desire to say that they endeavored to procure the attendance of James A. Williamson, of Des Moines, before the Committee as a witness, but were unable to do so, he not being found in the State.

The Committee, therefore, ask to be discharged from further duty under the resolution of the House by virtue of which they were appointed.

All of which is very respectfully submitted.

H. O. PRATT, *Chairman.*

Leave was granted Mr. Cutts from the Committee on Railroads to submit the following report :

MR. SPEAKER—Your Committee on Railroads to whom was referred House File No. 260, a bill for an act to establish a Board of Railroad Commissioners report the accompanying substitute to the House, and recommend its passage.

M. E. CUTTS, *Chairman.*

Leave was granted Mr. Elbert to call up House File No. 281, A bill for an act to authorize foreign guardians to receive the property within this State belonging to non-resident minors, with the substitute adopted.

On motion of Mr. Elbert, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Kasson, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Newbold, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Teale, Toliver, Traer, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—74.

The nays were none.

Absent or not voting—

Messrs. Bell, Bundy, Christoph, Crawford, Gibbons, Hartenbower, Huff, Keables, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Murdock, Noel, Parsons, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor and Tutts—62.

So the bill passed and the title was agreed to.

Mr. Day moved that the House adjourned.

The motion prevailed.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the Chair.

## MESSAGE FROM THE SENATE.

The following message from the Senate was received :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and concurrent resolution, in which the concurrence of the House is asked :

Senate File No. 177, A bill for an act to empower cities to take private property, and appropriate the same to public uses in certain cases.

Senate File No. 178, A bill for an act to amend section 2218, of the Revision of 1860, in relation to tenants.

Senate File No. 224, A bill for an act to locate county seats in certain cases.

Senate File No. 225, A bill for an act to define the rights and duties of County Auditor's in road cases, and to prescribe the rules for a review or appeal from their orders and decisions therein.

Concurrent resolution instructing the Committee on Ways and Means to insert in the special appropriation bill, an appropriation of \$2,000 to diffuse information in relation to the improvement of the Fox and Wisconsin rivers.

Joint resolution of respect to the memory of General George H. Thomas, with following addition thereto :

*Resolved*, That the flag on the Capitol building be placed at half mast during the remainder of the session.

In which the concurrence of the House is asked.

House File No. 344, A bill for an act to legalize the issue of certain warrants, by the Board of Directors of the district township of St. Charles, in Floyd county, Iowa, and the levy of taxes to pay the same.

House File No. 205, A bill for an act to legalize the notarial acts of Ira E. Draper, a notary public of Jasper county, Iowa.

Joint resolution in relation to money order offices.

A proposition to amend the Constitution of the State of Iowa.

Also that the Senate refuses to concur in the House amendments to Senate File No. 105, a bill for an act to provide for the completion of the center building, etc., and the improvement of the grounds and farm of the Iowa Hospital for the Insane at Independence.

Also, that the Senate refuses to recede from its amendments to House File No. 264, a bill for an act to provide for the taxation of railroad property, and asks a Committee of Conference on the disagreeing vote of the two houses thereon, and has appointed as managers at said Conference on the part of the Senate, Senators Bennett, Larrabee, and Vermillion.

JAMES M. WEART, *Secretary*.

Mr. O'Donnell asked leave to call up House File No. 801, A bill for an act for the relief of Patrick Hamil.

Mr. O'Donnell moved that the bill be ordered engrossed.

The motion prevailed.

Mr. O'Donnell moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlfs, Rosser, Russell, Sanborn, Sater, Snow, Stewart, Stone, Taylor, Teale, Toliver, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—75.

The nays were none.

Absent or not voting.

Messrs. Day, DeGroat, Elbert, Gibbons, Green, Hunter, Ketcham, Mahin, McCoun, Merritt, Miles of Washington, Miles of Wayne, Murdock, Parsons, Rowell, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Tait, Traer, Tufts, and Wright of Sac—24.

So the bill passed and the title was agreed to.

Mr. Irish had leave to call up House File No. 310, A bill for an act to define the rights of Church Corporations in certain cases.

On motion of Mr. Irish the bill was ordered to be engrossed.

Mr. Irish moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stone, Taylor, Toliver, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee and Mr. Speaker—74.



The nays were—

Messrs. Campbell, Teale—2.

Absent or not voting—

Messrs. Crawford, Day, DeGroat, Gibbons, Harper, Hobson, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Murdock, Parsons, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Traer, Tufts, Wright of Sac—23.

So the bill passed and the title was agreed to.

Mr. Rohlfs had leave to call up Senate File No. 93, A bill for an act authorizing cities and towns to punish for the violation of ordinances and by-laws.

Mr. Rohlfs moved that the bill be engrossed.

The motion prevailed.

Mr. Rohlfs moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacay, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Satter, Snow, Stewart, Stone, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee and Mr. Speaker—77.

The nays were none.

Absent or not voting—

Messrs. Day, DeGroat, Gibbons, Harper, Harrington, Hobson, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Murdock, Parsons, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Tait, Traer, Williams and Wright of Sac—22.

So the bill passed, and the title was agreed to.

Leave was granted Mr. Kasson to call up Senate File No. 177, A bill for an act to empower cities to take private property and appropriate the same to public uses in certain cases.

Read a first and second time and ordered to be engrossed.

Mr. Kasson moved that the rule be suspended, and the bill be read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Crawford, Day, Dudley, Dumont, Durham, Evans, Fawille, Green, Hartenbower, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Lee, McGavren, Merritt, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Stone, Taylor, Teale, Toliver, Traer, Warner, Wright of Allamakee, Wright of Sac and Mr. Speaker—60.

The nays were—

Messrs. Beresheim, Carpenter, Christoph, Cutts, Dickerson, Dunne, Harrison, Haycock, Hirschler, Lacey, Lommen, Wasson, Williams, Wilson, Wood—15.

Absent or not voting—

Messrs. DeGroat, Elbert, Gibbons, Harper, Harrington, Hartson, Hobson, Keables, Ketcham, Mahin, Marks, McCoun, Miles of Washington, Miles of Wayne, Miracle, Murdock, Parsons, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Tait, Tufts—24.

So the bill passed and the title was agreed to.

Leave was granted Mr. Wilson to call up House File No. 293, A bill for an act for the protection of birds.

Mr. Arnold moved to amend section 1 by adding to the same the following: "Provided, That persons killing birds for scientific purposes or for preservation in museums and cabinets shall be exempt from the penalties of this act, upon making satisfactory proof of the purposes for which they have killed any such bird or birds."

The amendment was adopted.

Mr. Dudley moved to amend, by inserting after the word "excepting," in the third line of section 1, the words, "birds of prey."

Mr. Durham moved to strike out all of the first line of the preamble, except the words "whereas" and "the birds of."

Mr. Evans moved to amend the amendment by striking out the whole preamble.

The motion did not prevail.

The motion to amend prevailed.

Mr. Wright, of Sac moved to amend by inserting the word "blackbirds," after the words, "birds of prey."

Mr. Morrison moved the previous question, which was seconded, and the main question ordered.

The question being on the amendment offered by Mr. Wright, of Sac, the motion did not prevail.

The question recurring on engrossment, the motion prevailed.

Mr. Wilson moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Outts, Dickerson, Dudley, Dumont, Evans, Faville, Green, Harper, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Huff, Irish, Jones, Kasson, Lacey, Lee, Marks, McGavren, Millard, Miller, Mills, Morrison, Noel, O'Donnell, Parsons, Rogers, Rosser, Russell, Snow, Taylor, Teale, Toliver, Traer, Williams, Wilson, Mr. Speaker—58.

The nays were—

Messrs. Applegate, Bell, Carpenter, Christoph, Crawford, Day, Dunne, Durham, Elbert, Harrington, Hartenbower, Hopkirk, Hunter, Irish, Lommen, Merritt, Newbold, Norris, Rohlf, Rowell, Sanborn, Sater, Stewart, Wasson, Wood, Wright of Allamakee, Wright of Sac—25.

Absent or not voting—

Messrs. DeGroat, Gibbons, Keables, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Miracle, Murdock, Pratt, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Tufts, Warner—21.

So the bill passed and the title was agreed to.

Leave was granted Mr. Marks to call up House File No. 282, A bill for an act to amend section 4, of chapter 121, of the laws of the Twelfth General Assembly, in relation to the registry of elections.

Mr. Marks moved to amend by adding as follows :

SECTION 2. That section 8, of chapter 171, of the laws of the Twelfth General Assembly, be amended by inserting after the word "person," in the eleventh line of said section 8, the following : "who is a freeholder."

SEC. 3. Nothing in this act, or in chapter 171 of the laws of the Twelfth General Assembly, shall be construed to affect the right to challenge, as provided in sections 493 and 494 of the Revision of 1860.

SEC. 4. When the Board of Supervisors of any county have formed a new township, the Board of Registry of the township or townships from which the territory for the new township was taken, shall furnish for the judges of election of said new township, a list of the registered legal voters residing in said new township.

Mr. Irish moved to amend the amendment by striking out section 2.

The motion prevailed.

Mr. Irish moved to amend the amendment by striking out section 3.

The motion did not prevail.

Mr. Dudley moved to reconsider the vote by which section 2 was stricken out.

The motion prevailed.

Mr. Dudley moved to amend section 2, by inserting after the word "freeholder" the words "or householder."

Mr. Beresheim moved the previous question which was seconded, and the main question ordered.

The question being upon the motion of Mr. Dudley to amend section 2.

The motion prevailed.

The question then recurred upon the proposition to strike out section 2, upon which Messrs. Rowell, and Irish, demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ball, Beatty, Bell, Bundy, Butler, Campbell, Christoph, Crawford, Cutts, Dickerson, Dunne, Elbert, Faville, Green, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkirk, Irish, Jones, Mills, O'Donnell, Rowell, Teale, Toliver, Warner and Wright of Allamakee—29.

The nays were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Carpenter, Carver, Dudley, Dumont, Durham, Evans, Harper, Harrington, Haycock, Hobson, Hopkins, Huff, Hunter, Kasson, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Millard, Miller, Morrison, Newbold, Noel, Norris, Rogers, Rosser, Russell, Sanborn, Sater, Snow, Stewart, Stone, Taylor, Traer, Wasson, Williams, Wilson, Wood, Wright of Sac and Mr. Speaker—49.

Absent or not voting—

Messrs. Day, DeGroat, Gibbons, Keables, Ketcham, Mahin, McCoun, Miles of Washington, Miles of Wayne, Miracle, Murdoch, Parsons, Pratt, Rohlf's, Satterwaite, Spencer, Stanchfield, Stutsman, Swan, Tait and Tufts—21.

So the motion to strike out did not prevail.

The question being upon adoption of the bill as amended, the motion prevailed.

The question being then upon engrossing the bill, the motion prevailed.

Mr. Applegate moved that the rule be suspended and the bill read a third time.

The motion prevailed.

Mr. Wilson moved a call of the House.

The motion prevailed and a call of the house was ordered.

Leave of absence was granted Messrs. DeGroat, Miracle, Stanchfield, Swan and Tait.

Mr. Traer moved that further proceedings under the call be dispensed with.

The motion did not prevail.

Mr. Dunne moved that the house adjourn.

The motion did not prevail.

Mr. Millard moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The Sergeant-at-Arms brought Messrs. Rohlf's and Keables to the bar of the House when they were excused.

Mr. Irish moved that the House adjourn.

The motion did not prevail.

Mr. O'Donnell moved a reconsideration of the vote by which the Bill was ordered engrossed and read a third time.

Mr. Wilson moved to lay the motion to reconsider on the table.

The motion prevailed.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Greene, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Huff, Irish, Kasson, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Millard, Miller, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rholfs, Rosser, Russell, Sanborn, Snow, Stewart, Tait, Taylor, Teale, Traer, Wasson, Williams, Wilson, Mr. Speaker—60.

The nays were—

Messrs. Beatty, Bell, Butler, Cristoph, Crawford, Dunne, Elbert, Hartenbower, Hirschler, Hood, Hopkins, Hopkirk, Hunter, Keables, Mills, O'Donnell, Rowell, Sater, Stone, Toliver, Warner, Wright of Allamakee, Wright of Sac,—23.

Absent or not voting—

Messrs. DeGroat, Gibbons, Jones, Ketcham, McCoun, Miles of Washington, Miles of Wayne, Miracle, Murdock, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Tufts, Wood.—16.

So the bill passed and the title was amended and agreed to.

Mr. Irish moved a reconsideration of the vote by which the bill passed.

Mr. Wilson moved to lay the motion to reconsider on the table.

The motion prevailed.

Leave was granted Mr. Green to call up House File No. 312, A bill for an act to amend section 7, chapter 109 of the laws of the 9th General Assembly.

Mr. Green moved that the bill be engrossed.

The motion prevailed.

Mr. Green moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Dickerson,

Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Greene, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Merritt, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Snow, Stewart, Stone, Tait, Taylor, Teale, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee and Mr. Speaker. — 75.

The nays were none.

Absent or not voting were—

Messrs. Butterfield, Day, DeGroat, Gibbons, Hirschler, Ketcham, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Miracle, Murdock, O'Donnell, Rogers, Rowell, Satterthwaite, Spencer, Stanchfield, Stutsman, Swan, Toliver, Traer, Tufts, Wright of Sac.— 24.

So the bill passed and title agreed to.

Leave was granted Mr. Cutts to call up House File No. 260, A bill for an act creating a Board of Railroad Commissioners.

On motion of Mr. Cutts the bill was made the special order for Wednesday, April 6, at 2 o'clock.

Mr. Russell moved that a Committee of three be appointed as a Committee of Conference, on the disagreement of the two Houses on the railroad tax bill.

The Speaker appointed Messrs. Russell, Cutts, and Williams, said Committee.

Mr. Rogers had leave to introduce the following resolution :

*Resolved*, That the Judiciary Committee be instructed to report Senate File No. 185, to the House to-morrow morning, with such recommendation as may to them seem advisable.

Mr. Harrington moved to lay the resolution on the table.

The motion did not prevail.

The resolutions were adopted.

Mr. Lacey moved that the House concur in the Senate amendment, to the Senate resolution relative to the death of General Thomas.

The motion prevailed.

Mr. Teale moved that the House adjourn.

The motion prevailed and the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 5, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. A. M. Geiger.

Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and resolution, in which the concurrence of the House is asked :

Senate File No 168, a bill for an act to facilitate the acquisition of the right of way over the abandoned railways, and to facilitate the construction of the same.

Senate File No. 170, A bill for an act to amend section 1020, of the Revision of 1860, and to provide for orders for the record of village plats to be made by a Circuit or District Judge in vacation.

Senate File No. 229, A bill for an act to enable independent school districts to borrow money for the erection of school-houses.

Concurrent resolution in regard to the settlement of swamp land claims.

Also, that the Senate has passed the following substitute for House File No. 156, A bill for an act to improve the tax system of this State, and to avoid errors in the assessment of real estate, in which the concurrence of the House is asked.

JAMES M. WEART, *Secretary.*

## PETITIONS.

Mr. Millard presented a petition of I. U. Lafallett, and fifty-four other citizens of Clark county, in relation to an Agricultural Society.

Referred to the Committee on Agriculture.

Mr. Toliver presented a petition from Hon. A. R. Mills, and one hundred and forty other legal voters of Green county, praying for the passage of the bill now before the House, appropriating money for the construction of a new State House.

The petition was placed on file.

Mr. Beatty presented a petition from the citizens of Cedar county, praying for the passage of a law to prevent the growth of cuckle burrs.

Referred to Committee on Agriculture.

Leave was granted the Judiciary Committee to sit during the forenoon.

## REPORTS OF COMMITTEES.

Mr. Morrison, from the Committee on Institution for the Education of the Blind, submitted the following report :

MR. SPEAKER—Your Committee on Institution for the Blind, to whom was referred Senate File No. 102, A bill for an act to establish an Industrial Home for the Blind, report the same back to the House, with the recommendation that it do pass, and be made the special order for this Morning.

MORRISON, *Chairman.*

Mr. Harper, from the Committee on Schools, submitted the following report :

MR. SPEAKER—Your Committee on Schools, to whom was recommended Substitute for House File No. 238, a bill for an act to provide a system of common schools, with instructions to adjust the same to the sub-district system, report the same back to the House, with the recommendation that it do pass as adjusted.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred House File No. 351, A bill for an act to provide for the erection of school districts from territory lying in adjoining counties, report the same back to the House, with the recommendation that it do pass.

HARPER, *Chairman.*

On motion of Mr. Harper, House File No. 228, A bill for an act to provide a system of common schools, was made a special order, after disposing of House File No. 182.

Mr. Parsons from the Special Committee on Fish submitted the following report :

MR. SPEAKER—Your Committee to whom were referred several petitions for the enactment of a law for the preservation of fish report that they have had the same under consideration, and that they have prepared a bill in accordance with the prayer of said petitioners, and they recommend that it do pass.

GALUSHA PARSONS, *Chairman.*

Mr. Parsons from the Special Committee submitted House File No. 354, A bill for an act to preserve fish in the waters of this State and to promote the propagation of the same.

Read first and second time.

On motion of Mr. Wilson, the bill was considered by sections.

Mr. Butler moved to amend by striking out section 2.

The motion did not prevail.

Mr. Wright of Sac moved to amend by striking out section 3.

#### SPECIAL ORDER.

The hour having arrived for the consideration of Special Order House File No. 182, A bill for an act to provide for the support and education of the blind, the Speaker announced the order.

On motion of Mr. Irish, the consideration of special order was postponed ten minutes.



Mr. Day moved the previous question, which was seconded.

The main question was ordered.

The question recurring on the motion to strike out section 3, the motion did not prevail.

The bill was ordered to be engrossed.

On motion of Mr. Irish, the rule was suspended and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Bonewitz, Bundy, Carpenter, DeGroat, Dickerson, Dumont, Durham, Elbert, Evans, Gibbons, Green, Harrison, Hartshorn, Hobson, Hopkins, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rowell, Sanborn, Snow, Stewart, Swan, Tait, Traer, Tufts, Warner, Wasson and Wilson—51.

The nays were—

Messrs. Applegate, Beresheim, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Dudley, Dunne, Faville, Harper, Harrington, Hartenbower, Haycock, Hood, Hopkirk, Huff, Hunter, Miles of Washington, Millard, Morrison, Rohlf, Rosser, Sater, Satterthwaite, Taylor, Toliver, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—33.

Absent or not voting—

Messrs. Brown of Fayette, Cutts, Day, Hirschler, McCoun, Miles of Wayne, Miller, Mills, Russell, Spencer, Stanchfield, Stone, Stutsman, Teale and Williams—15.

So the bill passed and title was agreed to.

Leave was granted Mr. Millard to introduce House File No. 355 A bill for an act to amend chapter 162 of the Revision of 1860 and fixing fees of certain officers.

Read first and second time and referred to Committee on Compensation of Public Officers.

On motion of Mr. Morrison the special order, House File No. 132, was taken up.

The substitute of the committee was adopted.

On motion of Mr. Traer the bill was considered by sections.

Mr. Traer moved to amend section 2 by striking out \$23,800 and inserting \$27,300.

The motion did not prevail.

Mr. Morrison moved to amend section 3 by striking out \$2,400.00 and inserting \$3,216.14.

The motion prevailed.

The substitute as amended was adopted for the original bill.

The bill was ordered engrossed.

On motion of Mr. Morrison the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopknis Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stanchfield, Stewart, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee and Mr. Speaker—85.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Crawford, Day, DeGroat, Gibbons, Green, Irish, Miles of Wayne, Sater, Spencer, Stanchfield, Stone, Stutsman, and Wright of Sac—14.

So the bill passed and the title was agreed to.

Special order, Senate File No. 102, A bill for an act to establish an Industrial Home for the Blind was taken up and ordered engrossed.

On motion of Mr. Morrison the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hobson, Hood, Hopkins, Hopkirk, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac, Mr. Speaker—75.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Butterfield, Crawford, Day, DeGroat, Green, Hartshorn, Haycock, Hirschler, Huff, Hunter, Kasson, Marks, McCoun, Miles of Wayne, Miles of Washington, O'Donnell, Pratt, Sater, Satterthwaite, Spencer, Stanchfield, Stutsman and Wood—24.

So the bill passed and the title was agreed to.

Leave was granted Mr. Rowell to introduce House File No. 356, A bill for an act to legalize the incorporation of the town of Afton, and the official acts of the officers thereunder.

Read first and second time and ordered engrossed.

On motion of Mr. Rowell, the rule was suspended and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hobson, Hood, Hopkins, Hopkirk, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rhofa, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—85.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Dudley, Hartshorn, Haycock, Hirschler, Huff, Hunter, Kasson, McCoun, Miles of Wayne, Sater, Spencer, Stanchfield, Stutsman—14.

So the bill passed and title was agreed to.

On motion of Mr. Harper, special order House File No. 238, A bill for an act to provide a system of common schools, was taken up and considered by sections.

Mr. Teale moved to strike out "800," and insert "100," in section 1.

The motion did not prevail.

Mr. Teale moved to amend section 3 as follows: Strike out, in the second line, the words "in the opinion of the County Superintendent."

The motion did not prevail.

Mr. Sater moved to amend section 34 by striking out the proviso.

The motion did not prevail.

Mr. Green moved to amend by striking out the word "shall" and insert the word "may" in the third line.

The motion did not prevail.

Mr. Cutts moved to strike out the proviso.

Mr. Russell moved to amend the amendment by striking out "County Superintendent" and inserting "the people of sub-district."

The motion did not prevail.

The motion to strike out the proviso prevailed.

On motion of Mr. Hartenbower, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

Leave was granted Mr. Huff to introduce House File No. 357, A bill for an act to legalize the election of the officers and the directors of the independent school district of Ackley, Hardin county, Iowa, of March 14, 1870.

Read first and second time and ordered engrossed.

On motion of Mr. Huff, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Irish, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rosser, Russell, Sanborn, Sater, Satterthwait, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—69.

The nays were none.

Absent or not voting—

Messrs. Arnold, Beatty, Bell, Beresheim, Brown of Fayette, Christoph, Crawford, Cutts, Day, Elbert, Gibbons, Harrington, Hirschler, Hood, Jones, Kasson, Lee, McCoun, Miles of Wayne, Mills, Miracle, Murdock, O'Donnell, Rohlf, Rowell, Spencer, Stanchfield, Stutsman, Traer, and Williams—30.

So the bill passed and title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to return herewith the following bills, which have passed the Senate without amendment:

Substitute for House File No 231, A bill for an act to authorize foreign guardians to secure the property within this State belonging to non-resident minors.

House File no 352, A bill for an act to legalize the issue of warrants by the directors of independent school district of Strawberry Point Clayton county.

House File No. 298, A bill for an act for the protection of birds.

J. A. T. HULL,  
*1st. Assist. Secretary.*

Leave was granted Mr. Irish to call up the resolution in relation to appropriating two thousand dollars to defray expenses of printing and diffusing information on the subject of the improvement of the Fox and Wisconsin rivers.

Referred to the Committee on Federal Relations.

Mr. Green moved to reconsider the vote by which House File No. 354 was passed.

Mr. Wilson moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider prevailed.

Mr. Parsons moved to reconsider the vote by which the bill was ordered to a third reading.

Mr. Tufts moved that the special order House File 238, A bill for an act to provide a system of Common Schools be taken up.

The motion prevailed.

Mr. Lacey offered the following substitute as an amendment, and moved its adoption.

*Be it enacted by the General Assembly of the State of Iowa :*

SECTION 1. That the State Superintendent of Public Instruction, is hereby authorized and directed to prepare a compilation of all the existing school laws of the State of Iowa, including such school laws as have been or may be passed by the Thirteenth General Assembly, and omitting all laws that have been repealed.

SEC. 2. Said compiled laws shall be published and distributed.

On its adoption Messrs. Lacey and Irish demanded the yeas and nays which were as follows.

The yeas were—

Messrs. Brown of Van Buren, Butterfield, Campbell, Carpenter, Christoph, Cutts, Dickerson, Dudley, Dunne, Durham, Green, Harrington, Hartshorn, Hobson, Huff, Lacey, Lommen, Miracle, Morrison, Noel, Rosser, Stone, Swan, Taylor, Teale, Tufts, Warner, Wasson, Williams, Wright of Allamakee and Wright of Sac—32.

The nays were—

Messrs. Applegate, Arnold, Ball, Beatty, Bonewitz, Bundy, Butler, Carver, Dumont, Evans, Faville, Harper, Hartenbower, Haycock, Hood, Hopkins, Hopkirk, Hunter, Irish, Keables, Ketcham, Mahin,

Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Newbold, Norris, Parsons, Rogers, Rowell, Sanborn, Sater, Snow, Tait, Wilson, Wood, and Mr. Speaker—40.

Absent or not voting—

Messrs. Bell, Beresheim, Brown of Fayette, Crawford, Day, DeGroat, Elbert, Gibbons, Harrison, Hirschler, Jones, Kasson, Lee, McCoun, Miles of Wayne, Mills, Murdock, O'Donnell, Pratt, Russell, Satterthwaite, Spencer, Stanchfield, Stewart, Stutsman, Toliver, and Traer—27.

Mr. Teale moved to amend section 52, as follows:

“Provided that no teacher shall receive pay from the district for the time spent by him in attending the Institute.”

Mr. Hopkirk moved to amend the amendment by striking out section 52.

The motion did not prevail.

The motion to amend was lost.

Mr. Carver moved to amend as follows:

*Resolved*, That no teacher shall receive pay for the Institute week until he obtain a certificate signed by the Chairman, and countersigned by the Secretary of the Institute, stating that he was in attendance the full time of said Institute.

The amendment was adopted.

Mr. Butler moved to strike out section 80.

Mr. Taylor moved to strike out all after the words “holds a state,” in first line, all of second line, and “Public Instruction,” in third line.

The motion did not prevail.

The motion to strike out section 80 prevailed.

Mr. Durham moved to amend section 82, by striking out all after “States,” in fifth line, all of lines 6, 7, and 8, and “county revenues,” in 9th line.

The motion prevailed.

Mr. Newbold moved to amend section 84, in 4th line, by striking out the words, “and at least by one of the assistants.”

The motion prevailed.

Mr. Cutts moved to amend by striking out the proviso.

The motion prevailed.

Mr. Sater moved to strike out all after the word “rejected,” in 3d and 4th lines.

The motion prevailed.

Mr. Ketcham moved to indefinitely postpone the bill, on which Messrs Cutts and Ketcham demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Arnold, Ball, Bell, Beresheim, Butterfield, Campbell, Carpenter, Christoph, DeGroat, Dickerson, Dudley, Evans, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hopkins,

Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacy, Lee, Lomen, Mahin, Marks, Miles of Washington, Millard, Miller, Milla, Miracle, Morrison, Norris, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Stewart, Stone, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Williams, Wood, and Mr. Speaker.—54.

The nays were—

Messrs. Applegate, Beatty, Bonewitz, Brown of Van Buren, Bundy, Butler, Carver, Cutts, Day, Durham, Elbert, Faville, Green, Haycock, Hood, McGavren, Merritt, Murdock, Newbold, Noel, Parsons, Pratt, Satterthwait, Swan, Tait, Traer, Wilson, Wright of Allamakee, and Wright of Sac—29.

Absent or not voting—

Messrs. Brown of Fayette, Crawford, Dumont, Dunne, Gibbons, Hirschler, Huff, Kasson, McCoun, Miles of Wayne, O'Donnell, Rogers, Rholfs, Spencer, Stanchfield, and Statsman—16.

So the bill was indefinitely postponed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Committee of Conference on the part of the Senate, on the disagreeing votes of the two Houses on House File No. 264, A bill for an act to provide for the taxation of railroad property, have reported that said Committee are unable to agree, and have been discharged, and that Senators Beardsley, Couch, and Traverse have been appointed instead. A similar Committee on the part of the House is asked.

JAMES M. WEART, *Secretary.*

Leave was granted Mr. Russell to submit the following report from the Conference on Committee :

MR. SPEAKER—The Committee appointed to confer with a similar committee on the part of the Senate, relative to the disagreement of the two Houses on the amendments proposed by the Senate to House File No. 264, a bill for an act to provide for the taxation of railroad property, have had the matter of disagreement under consideration, and have to report to the House that the Committee on Conference are unable to agree.

RUSSELL,  
OUTTS,  
WILLIAMS,—

*Committee.*

Mr. Russell moved to take up the Senate message relating to appointing Committee on Conference.

The motion prevailed.

On motion of Mr. Wilson a new Committee on Conference was appointed.

The Speaker appointed Messrs. Wilson, Dudley and Wright of Allamakee.

Leave was granted Mr. Jones to present a petition of I. N. Thomas, in behalf of the county recorders of Iowa, for the increase of fees.

Referred to Committee on compensation of Public Officers.

Mr. Traer moved to take up Special Order House File No. 227, A bill for an act repealing section 1332 of article 4, of the Revision of 1860, and for regulating the consideration and leasing of railroads, and providing for the joining and intersection of the same.

The motion prevailed.

#### MESSAGE ON SPEAKER'S TABLE.

The Speaker read the following message to the House :

DES MOINES, April 5, 1870.

A. R. COTTON, *Speaker of the House of Representatives* :

The undersigned respectfully requests that the honorable body over which you preside, take a recess of fifteen minutes on Wednesday, the 6th inst.,—say from 10:45 to 11:00—and arrange themselves on, and in front of the north entrance of the State-House for the purpose of having a photographic group of the members and officers taken.

Very Respectfully,

J. P. SHARMAN, *Photographer*.

P. S.—A similar request has been sent to the honorable Senate.

J. P. S.

On motion of Mr. Wilson the House agreed to take a recess at the time specified in the above communication.

The bill under consideration, (H. F. 238), was ordered engrossed.

Mr. Parsons moved to postpone further consideration of the bill until to-morrow morning at 9 o'clock.

Leave was granted Mr. Rowell to submit the following report :

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate File No. 185, a bill for an act resuming the lands granted the Dubuque, Bellevue and Sabula Railroad Company, report the same back to the House with the following statement and recommendation :

This bill was referred to this committee that they should determine the legal question of the right of the State to resume the lands granted to this company. First, Your Committee find that the act of the



12th General Assembly, chapter 124, section 8, granted the land contemplated in this grant, to the Dubuque, Bellevue and Sabula Railroad Company, and provided said road should be completed by January 1st, 1871. Second, That said company did not file a written acceptance of said grant, nor have they done any act indicating their inclination to build said road.

We are informed by what your Committee consider good authority that the Railroad Company to whom these lands were granted, did by resolution signed by all the members of said company, abandon their organization and abandon this land grant.

That Mr. Gillman, president of said company, has said by letter to the chairman of the Senate Railroad Committee that he would either commence the work on said road by March 1st, 1870, or abandon any claim he had on said lands.

Your committee therefore are of the opinion that the State has the legal right to resume this land grant.

We therefore recommend the passage of this bill.

N. W. ROWELL, *Chairman.*

Leave was granted Mr. McGavren to call up House File 200, A bill for an act for the relief of Harrison county, Iowa, for money stolen from the county safe.

The bill was ordered engrossed.

On motion of Mr. McGavren the rule was suspended, and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rosser, Rowell, Sanborn, Satterthwaite, Snow, Stewart, Stone, Tait, Taylor, Teale, Toliver, Trear, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—78.

The nays were—

Mr. Ball—1.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Crawford, Evans, Faville, Green, Hirschler, Kasson, Mahin, McCoun, Miles of Wayne, O'Donnell, Rogers, Rohlf, Russell, Sater, Spencer, Stanchfield, Stutsman and Swan—20.

So the bill passed, and the title was agreed to.

Mr. Millard moved to take up House File No. 351, A bill for an act to provide for the erection of School Districts from territory lying in adjoining counties.

The motion prevailed and the bill was ordered engrossed.

On motion of Mr. Millard the rule was suspended, and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Millard, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac and Mr. Speaker—84.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Crawford, Elbert, Green, Kasson, Marks, McCoun, Miles of Wayne, Miller, O'Donnell, Rosser, Spencer, Stanchfield, Stutsman and Wright of Allamakee—15.

So the bill passed and the title was agreed to.

On motion of Mr. Day House File No. 313, A bill for an act to organize the county of Merrill was taken up.

Mr. Rowell moved to strike from the bill wherever it may occur the name of "Merrill," and insert the name of "Crocker."

Mr. Irish moved to recommit the bill to the Committee on County and Township Organizations.

The motion was lost.

Mr. Green moved to amend the amendment by substituting the name Stanton, in place of Crocker.

The motion did not prevail.

The motion to amend by inserting Crocker for Merrill prevailed.

The bill was ordered engrossed.

On motion of Mr. Day, the rule was suspended and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays was as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Day, DeGroat, Dickerson, Dunne, Durham, Elbert, Evans,

Gibbons, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rosser, Rowell, Russell, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wood, Wright of Sac and Mr. Speaker—72.

The nays were—

Messrs. Cutts, Dumont, Faville, Hobson, Ketcham, Rogers, Sanborn, Sater, Satterthwaite, Snow—10.

Absent or not voting—

Messrs. Brown of Fayette, Butterfield, Christoph, Crawford, Dudley, Harper, Hirschler, Kasson, McCoun, Miles of Wayne, O'Donnell, Rohlf, Spencer, Stanchfield, Stutsman, Wilson, Wright of Allamakee—17.

So the bill passed and title was agreed to.

Leave was given Mr. Cutts from the Committee on Railroads to submit the following report:

MR. SPEAKER—Your Committee on Railroads to whom was referred Senate File No. 188, A bill for an act to enable townships, incorporated towns and cities to aid in the construction of railroads, report the same back to the House, with the recommendation that it do pass.

M. E. CUTTS, *Chairman*.

Mr. Mills from the Committee on Insane Asylum submitted the following report:

MR. SPEAKER—Your Committee on Insane Asylum to whom was referred Senate File No. 172, A bill for an act making further appropriations for the Hospital for the Insane at Mt. Pleasant, report the same back to the House, with the recommendation that it do pass.

J. D. MILES, *Chairman*.

Mr. Murdock from the Committee on Public Buildings submitted the following report:

MR. SPEAKER—Your Committee on Public Buildings to whom was referred House File No. —, A bill for an act to make appropriations for the Insane Hospital at Mt. Pleasant, report the same back to the House, with the recommendation that it do pass.

MURDOCK, *Chairman*.

On motion of Mr. Cutts, House File No. 188, A bill for an act to enable townships, incorporated towns, and cities to aid in the construction of railroads, was made the special order for Thursday, April 7, at 9½ o'clock A. M.

Mr. Miles, of Washington, moved that Senate File No. 172, A bill for act making appropriations for the Hospital for the Insane at Mount Pleasant be made the special order for Thursday, April 7, at 2 P. M.

The motion prevailed.

On motion of Mr. Murdock, House File No. 320, A bill for an act making appropriations for the Hospital for the Insane at Mount Pleasant, was made the special order for Thursday, April 7, at 2 P. M.

Leave was granted Mr. Parsons to call up Senate File No. 170, An act to amend section 1020, of the Revision of 1860, was read a first and second time, and ordered to be read a third time.

On motion of Mr. Parsons, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, Dickerson, Dumont, Dunne, Durham, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—80.

The nays were—

Mr. Harrison—1.

Absent or not voting—

Messrs. Bell, Brown of Fayette, Christoph, DeGroat, Dudley, Elbert, Evans, Hirschler, Kasson, McCoun, Miles of Wayne, O'Donnell, Rohlfs, Rowell, Spencer, Stanchfield, Stutsman, and Wright of Allamakee—18.

So the bill passed and the title was agreed to.

On motion of Mr. Ketcham, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
April 6, 1870. }

The House met pursuant to adjournment.

The speaker in the chair.

Prayer by Rev. P. B. Morgan.

The Journal of yesterday read and approved.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked :

Substitute for Senate File No. 86, A bill for an act to carry into effect the provisions of an act of Congress, approved Nov. 15, 1856, granting lands to Iowa to aid in the construction of railroads, and to secure the early completion of the Tete Des Morts branch of the Dubuque and Sioux City Railroad.

Substitute for Senate File No. 184, A bill for an act making additional appropriations for the Iowa Soldiers' Orphans' Homes.

Senate File No. 204, A bill for an act to amend chapter 101 of the Revision of 1860, pertaining to husband and wife, and regulating their rights and liabilities.

Senate File No. 205, A bill for an act to amend chapter 100 of the Revision of 1860, in relation to the estates of decedents.

Senate File No. 206, A bill for an act to amend section 2532 of the Revision of 1860, relative to divorce and alimony.

Senate File No. 207, A bill for an act to amend chapter 86 of the laws of the Twelfth General Assembly, in relation to Courts.

Senate File No. 208, A bill for an act to amend the code of civil practice.

Senate File No. 209, A bill for an act to amend part fourth of the Revision of 1860, in relation to crimes, punishments, and proceedings in criminal cases.

Senate File No. 236, A bill for an act authorizing the Governor to patent certain University lands situated in Lucas county.

Resolution in relation to phonographic report :

*Resolved by the Senate the House concurring*, That the Secretary of State be and is hereby instructed to order from the publishers of the Des Moines Bulletin fifteen hundred copies of the phonographic report of the Thirteenth General Assembly, containing full report from the commencement to the close of its session, and to retain three hundred copies for distribution among the officers and State Institutions of the State, and the balance to distribute equally among the members of the present General Assembly ; *provided*, the cost of the same will not be more than would be the cost of the same number of Journals. The expense of distribution to be paid in the same manner as for distribution of the Journals.

I also return herewith the following bill and memorial, which has passed the Senate without amendment :

Substitute for House File No. 69, A bill for an act to provide for the prohibition of the sale of ale, wine and beer in counties, by a vote of the people.

Memorial to Congress in relation to water communication between the Atlantic and Mississippi *via* the Fox and Wisconsin rivers.

JAMES M. WEART, *Secretary*.

Mr. Miles, of Washington, moved that Samuel Bigger, member elect from Washington county, be qualified as such Representative.

The motion prevailed; and Samuel Bigger came to the bar of the House and took the oath of office.

Mr. Pratt had leave to call up Senate File No. 86, A bill for an act to carry out the provisions of an act of Congress, approved May 15, 1856, granting lands to Iowa to aid in the construction of railroads, and to secure the early completion of the Tete Des Morts branch of the Dubuque and Sioux City railroad.

Read a first and second time.

Mr. Pratt moved that the bill be engrossed.

The motion prevailed.

Mr. Pratt moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lomen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rosser, Rowell, Russell, Sanborn, Sater, Spencer Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Cutts, Dumont, Elbert, Hirschler, McConn, Parsons, Rogers, Rohlf, Satterthwaite, Snow, and Stanchfield—12.

So the bill passed and the title was agreed to.

Mr. Rowell moved that Senate File No. 185 be laid upon the table.

The motion prevailed.

## PETITIONS AND REMONSTRANCES.

Mr. Rogers presented a remonstrance of C. W. Baldwin and citizens of Clinton county, against an appropriation for a new Capitol.

Mr. Miller presented a petition of citizens of Appanoose county, asking a resumption of the land granted to the Dubuque, Bellevue, and Sabula Railroad Company.

Placed on file.

Mr. Stutsman presented a petition of the attorneys of Lucas county, for increase of salary of Judges of the Supreme, District, and Circuit Courts.

Placed on file.

Mr. Traer presented a petition, asking that the election of directors of the Independent district of Shellsburg be legalized.

Placed on file.

Mr. Toliver presented a remonstrance of citizens of Green county against a Capitol appropriation.

Placed on file.

Mr. Satterthwaite presented a petition from citizens of Center township, asking to be formed into an independent district.

Referred to the Committee on schools.

Mr. Rowell presented a petition of citizens of Adams county, Iowa, asking the repeal of the Registry law.

Referred to the Committee on Elections.

Mr. Gibbons moved that Senate File No. 224, A bill for an act to locate county seats in certain cases, be taken up.

The motion prevailed.

Mr. Mills moved that the bill be engrossed.

The motion prevailed.

Mr. Mills moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of VanBuren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Evans, Faville, Gibbons, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Rowell, Russell, Sater, Satterthwaite, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—85.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Campbell, Elbert, Green, Harrington, Hirschler, Hobson, Lommen, McCoun, Parsons, Rohlf, Sanborn, Stanchfield, Snow, and Wright of Sac—15.

So the bill passed and the title was agreed to.

Mr. Huff moved that Substitute for House File No. 140 and No. 95, A bill for an act to protect the citizens of Iowa from empiricism, and to elevate the standard of the medical profession, be taken up.

The motion prevailed.

Mr. Huff moved that the substitute be adopted.

The motion prevailed.

Mr. Huff moved that the bill be engrossed.

The motion prevailed.

Mr. Huff moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Beresheim, Bigger, Bonewitz, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dudley, Dumont, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Hobson, Hopkins, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, Newbold, O'Donnell, Pratt, Rogers, Rosser, Satterthwaite, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Traer, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Messrs. Ball, Beatty, Brown of Van Buren, Bundy, Campbell, Dickerson, Harrington, Harrison, Haycock, Hood, Hopkirk, Lacey, McCoun, Miller, Morrison, Noel, Rowell, Sanborn, Sater, Spencer, Teale, Tufts, and Warner—23.

Absent or not voting—

Messrs. Brown of Fayette, Dunne, Durham, Green, Hirschler, Kasson, Lommen, Norris, Parsons, Rohlf, Snow, Stanchfield, and Toliver—13.

So the bill passed and the title was agreed to.

Mr. Huff moved that House File No. 140 be laid upon the table.

The motion prevailed.

Mr. Mahin had leave to call up House File No. 9, A bill for an act for the suppression of dental quackery, and the encouragement of scientific attainment in the profession of dentistry.

Mr. Morrison moved the reference of the bill to the Committee on Internal Improvements.



Mr. Traer moved the previous question, which was seconded, and the main question ordered.

The question being on the engrossment of the bill, the motion prevailed.

Mr. Mahin moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bonewitz, Butler, Butterfield, Carpenter, Carver, Christoph, Cutts, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Hobson, Hopkins, Huff, Hunter, Jones, Keables, Ketcham, Lee, Mahin, McGavren, Merritt, Miles of Washington, Millard, Mills, Newbold, O'Donnell, Rogers, Rohlf, Sanborn, Stewart, Stone, Swan, Traer, Wasson, Wilson, and Mr. Speaker—41.

The nays were—

Messrs. Ball, Beatty, Bigger, Brown of Van Buren, Bundy, Campbell, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Harrington, Harrison, Hartshorn, Haycock, Hood, Hopkirk, Irish, Kasson, Lacey, Lommen, Marks, McCoun, Miles of Wayne, Miller, Morrison, Noel, Norris, Rowell, Russell, Sater, Satterthwaite, Spencer, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Williams, Wood, and Wright of Allamakee—45.

Absent or not voting—

Messrs. Bell, Bereshiem, Brown of Fayette, Dunne, Green, Hirschler, Miracle, Murdock, Parsons, Pratt, Rosser, Snow, Stanchfield, and Wright of Sac—14.

So the bill did not pass.

Mr. Traer moved that the special order, House File No. 227, A bill for an act repealing section 1332, of article 4, of the Revision of 1860, and for regulating the consolidation and leasing of railroads, and providing for the joining and intersection of the same.

The motion prevailed.

Mr. Irish moved that the House take a recess of fifteen minutes.

The motion prevailed.

Mr. Traer moved a call of the House.

The motion did not prevail.

Mr. Morrison moved that the House adjourn.

The motion did not prevail.

Mr. Hartshorn had leave to offer the following resolution :

*Resolved by the General Assembly of the State of Iowa, That the two Houses will meet in joint convention on Friday, April 8th, at 4½ P. M., to elect Trustees of the State University and Agricultural College, and Trustees for any other institutions, to fill vacancies existing in the respective Boards of Trustees of those Institutions, caused by expiration of terms of present incumbents.*

Mr. Traer moved that the resolution lie on the table.

The motion prevailed.

Mr. Parsons moved that the House adjourn.

The motion prevailed.

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Two o'clock, P. M.

The House met pursuant to adjournment.

Speaker in the chair.

Mr. Miles of Washington had leave to introduce the following resolution, which was adopted :

*Resolved*, That the proper officers be hereby instructed to transmit to the widow of the Hon. A. Connor of Washington, deceased, all of the mileage, per diem, perquisites and stationery, or the value in money of any part thereof, from the 10th day of January to the date of the passage hereof.

Mr. Satterthwaite had leave to present a petition from citizens of Henry county, asking for an appropriation to build a Capitol.

Placed on file.

Mr. Mills had leave to introduce a concurrent resolution to print memorial to Congress on the water route by way of the Wisconsin and Fox rivers and Northern lakes.

The resolution was adopted.

Mr. Green offered the following resolution, which was adopted :

*Resolved*, That this House respectfully request the Speaker to strictly enforce Rule 14 of House Rules and Regulations.

Mr. Toliver, from the Committee on Enrolled Bills, presented the following report :

MR. SPEAKER—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled.

House File No. 344, A bill for an act to legalize the issue of certain school warrants, by the Board of Directors of the district townships of St. Charles, in Floyd county, Iowa, and the levy of taxes to pay the same.

A joint resolution in regard to money order offices.

House File No. 60, A bill for an act to amend article 3, of chapter 29, of the Revision of 1860.

House File No. 205, A bill for an act to legalize the Notarial acts of Ira E. Draper, a Notary Public, of Jasper county, Iowa.

House File No. 352, A bill for an act to legalize the issue of warrants in the Independent School District of Strawberry Point, Clayton county, Iowa.

A joint resolution of respect to the memory of General G. H. Thomas.

G. S. TOLIVER, *Chairman*.

Mr. Parsons from the Special Committee on Des Moines River Lands, submitted the following report :

MR. SPEAKER—Your Special Committee on Des Moines River Lands, report back to the House, the accompanying joint resolutions and two bills, the passage of which they recommend.

G. LUSHA PARSONS, *Chairman*.

Mr. Mills moved that the special order, House File No. 260, A bill for an act creating a Board of Railroad Commissioners be taken up.

The motion prevailed.

Mr. Cutts moved to file the blank in section 2, with " April 12."

The motion prevailed.

Mr. Lacey moved to amend as follows, add to the end of line 16 section 9, the following, " A list of donations to said road either by individuals, or from any other source, whether said donations are lands or cash, giving the value thereof.

The motion prevailed.

Mr. Rogers moved to amend section 11, as follows, strike out all of line 2, section 11, except the word " books " and the word " be," at the commencement of line 3.

The motion did not prevail.

Mr. Dudley moved to amend the first section by striking out the words " General Assembly on Joint Ballot," and substitute the words " people at the general election in 1870."

#### MESSAGE FROM THE GOVERNOR.

A message was received from the Governor in relation to the Soldier's reunion.

Mr. Lacey moved to strike out the words " for the term of two years and," and insert the following, " Their successors shall be elected by the people at the General election in 1870, and biennially thereafter and the term of office of said commissioners so elected by the people shall commence on the first Monday in January, 1871, and they shall hold office for two years, and."

By consent of the House, Mr. Dudley accepted the amendment by Mr. Lacey.

Mr. Wilson offered the following as a substitute to sections 1 and 2 of the bill.

" Be it enacted by the General Assembly of the State of Iowa, that there is hereby appointed a committee of two from the House

and one from the Senate, whose duties shall be as set forth in this act.

The substitute was not adopted.

Mr. Rowell moved to amend section one by striking out of the 4th line the words "until their successors are elected and qualified."

The amendment was not agreed to.

The question recurring on the amendment offered by Mr. Lacey, Messrs. Irish and Mills demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger-Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Dunne, Durham, Evans, Green, Harper, Harrington, Harrison, Haycock, Hobson, Hopkirk, Huff, Hunter, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac and Mr. Speaker.—70.

The nays were—

Messrs. Butler, Christoph, Crawford, DeGroat, Elbert, Faville, Gibbons, Hartenbower, Hartshorn, Hood, Hopkins, Irish, Jones, Kasson, Marks, McGavren, Merritt, Miles of Washington, Mills, O'Donnell, Pratt, Swan, Toliver, Williams, Wright of Allamakee—25.

Absent or not voting—

Messrs. Brown of Fayette, Dumont, Hirschler, Snow, and Stanchfield.—5.

So the amendment prevailed.

Mr. Harrington offered the following amendment which was lost:

Add to section 6 "to be assessed equitably against, and paid by the several railroad companies in this State."

Mr. Cutts offered the following amendment.

Add to the first line of section 15, after the word State, the words "at their own expense."

The amendment was adopted.

Mr. Faville moved that section 15 be stricken out.

The motion did not prevail.

Mr. Lacey moved to strike out the words "biennially thereafter," in the 1st line of section 2.

The motion prevailed.

Mr. Teale moved to amend section 5 by striking out the words "free of charge."

The motion did not prevail.

Mr. Cutts moved to amend as follows: "insert after the word acts in the 9th line of section 16 the words or shall in any manner neglect or refuse to comply with any of the provisions of this act, except the provisions of section 12 thereof."

The motion prevailed.

Mr. Wilson moved to strike out section 12.

The motion did not prevail.

Mr. Harper moved the previous question which was seconded, and the main question ordered.

The question being on the engrossment of the bill, the motion prevailed.

Mr. Dudley moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Sanborn, Stewart, Stone, Stutsman, Tait, Taylor, Tufts, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr Speaker—77.

The nays were—

Messrs. Bonewitz, Campbell, Harrison, Hobson, Hopkirk, Marks, McCoun, Russell, Sater, Spencer, Swan, Teale, Toliver, Traer, and Warner,—15.

Absent or not voting—

Messrs. Brown of Fayette, Dumont, Dunne, Hirschler, Rohlf, Satterthwaite, Snow, and Stanchfield—8.

So the bill passed and the title was agreed to.

Mr. Traer moved that House File No. 227, A bill for an act repealing section 1332 of article 4 of the revision of 1860, and regulating the consolidation and leasing of railroads, and providing for the joining and intersection of the same be taken up.

The motion prevailed.

Mr. Irish moved to reconsider the vote by which House File No. 9 was lost.

Mr. Morrison moved to lay the motion on the table.

The motion prevailed.

Mr. Parsons had leave to call up Joint Resolutions reported by the

Committee in reference to settlers on Des Moines river lands, and asking a grant of lands.

The resolutions were adopted.

Mr. Parsons, by leave, introduced House File No. 359, A bill for an act for the relief of settlers on the Des Moines river lands.

Read a first and second time and ordered to be engrossed.

Mr. Parsons moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—87.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Beresheim, Cutts, Day, Evans, Green, Hirschler, Ketcham, Marks, Morrison, Rohlf, Stanchfield and Taylor—13.

So the bill passed and the title was agreed to.

Mr. Parsons by leave introduced House File No. 359, A bill for an act in relation to occupying claimants.

Read a first and second time and ordered engrossed.

Mr. Hunter moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Wayne, Millard,

Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf's, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—91.

The nays were none.

Absent or not voting—

Messrs. Brown of Fayette, Crawford, Gibbons, Hobson, Marks, Miles of Washington, Mills, Stanchfield and Taylor—9.

So the bill passed and the title was agreed to.

Mr. Harrison moved that the House adjourn.

The motion did not prevail.

The House resumed the consideration of the special order, House File No. 227.

Mr. Traer moved that the bill be engrossed.

The motion prevailed.

Mr. Traer moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Dunne, Durham, Elbert, Evans, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—82.

The nays were—

Messrs. Faville and Green—2.

Absent or not voting—

Messrs. Bell, Beresheim, Brown of Fayette, DeGroat, Dumont, Gibbons, Harper, Hirschler, Hood, Marks, Mills, O'Donnell, Rohlf's, Snow, Stanchfield and Stone—16.

So the bill passed and the title was agreed to.

Mr. Traer offered the following resolution in lieu of a similar resolution offered yesterday:

That Hon James McQuinn and C. H. Conklin, of Benton county, and Hon. Joseph Dysart, of Tama county, be appointed Trustees for Blind Asylum for 4 years from April 1, 1870, and that Hon. William

G. Donnan of Buchanan, and Samuel H. Watson, of Benton, be appointed to fill the vacancies in said Board, occasioned by the resignations of Hon. James Chapin, of Benton, and Hon. Charles G. Truesdale, of Clinton.

On the adoption of this motion, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Keables, Ketcham, Lacey, Lee, Mahin, McGavren, Miles of Washington, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Traer, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—68.

The nays were—

Messrs. Carpenter, Dunne, Harrington, Hartenbower, McCoun, Sater, Teale, Tufts—8.

Absent or not voting—

Messrs. Ball, Bell, Brown of Fayette, DeGroat, DeGroat, Dumont, Elbert, Green, Harper, Harrison, Hartshorn, Hirschler, Jones, Kasson, Lommen, Marks, Merritt, Miller, Miracle, Rohlf, Snow, Stanchfield, Stone, Toliver, and Wright of Allamakee—24.

So the resolution was adopted.

Mr. Tufts moved that the House adjourn.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
April 7, 1870.

The House met pursuant to adjournment.

The Speaker in the chair.

Prayer by Rev. G. F. McGoun, for C. F. Pomeroy.

On motion of Mr. Campbell, the reading of the Journal was dispensed with.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and resolutions, in which the concurrence of the House is asked.



Senate File No. 113, A bill for an act creating a Department of Insurance.

Senate File No. 193, A bill for an act for the Government of Hospitals for the Insane, defining the legal relations of insane persons, and providing for their care and protection.

Substitute for Senate File No. 202, A bill for an act to legalize the acts of the Board of Supervisors of Davis county, Iowa, and the acts of the town Council of the town of Bloomfield, of said county and State, in conveying certain land to J. W. Ellis, W. J. Law and J. K. Sheaffer, as Trustees.

Senate File No. 217, A bill for an act making appropriations for the Iowa State Agricultural College and Farm.

Senate File No. 239, A bill for an act to enable municipal and public corporations at their election to settle, adjust and compound their indebtedness, and to provide for the issue of new Bonds, and for the payment of such new Bonds by the levy of specific taxes, and for this purpose altering and amending existing charters and laws.

Senate File No. 242, A bill for an act appropriating money to defray the expense of a reunion of Iowa Soldiers.

*Resolved by the Senate the House concurring,* That the compensation of the Post Master and Assistant Post Master, to the Thirteenth General Assembly shall be five dollars per day each.

*Resolved by the Senate, the House of Representatives concurring,* That the compensation of the Mail Carrier, for this General Assembly shall be six dollars per day.

Also, concurrent resolution relative to the printing of the Journals, with the following amendment, viz.: by striking out the words, "three thousand copies of the Journals," and inserting "fifteen hundred copies each, of the Journals of the Senate and House of Representatives, in which the concurrence of the House is asked.

JAMES M. WEART, *Secretary.*

#### REPORTS OF COMMITTEES.

Mr. Tait, from the Committee on Military Affairs, submitted the following report:

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred Senate File No. 128, A bill for an act for the relief of the widow and heirs of Joseph B Dorr, late Colonel 8th Iowa Cavalry, report the same back to the House, with the recommendation that the bill, in its present form, do not pass.

JOHN H. TAIT, *Chairman.*

Mr. Brown, of Van Buren, moved to reconsider the vote by which House File No. 260, A bill for an act to create a Board of Railroad Commissioners, was passed.

Mr. Hunter, from the Committee on Compensation of Public Officers, submitted the following report :

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred the resolution fixing the compensation of officers and employees of this House report back the accompanying substitute, with the recommendation that it be adopted :

*Resolved by the House*, That the compensation of its officers and employees shall be as follows :

Chief Clerk, per day.....	\$8.00
First Assistant Clerk, per day.....	7.00
Second Assistant Clerk, per day.....	7.00
Enrolling Clerk, per day.....	6.00
Engrossing Clerk, per day.....	6.00
Sergeant-at-Arms and Doorkeeper, each, per day.....	5.00
Postmaster and Assistant Postmaster, each, per day....	5.00
Paper Folders, each, per day.....	4.00
Messengers, per day, each.....	3.00
Janitor and Assistant Janitor, each, per day.....	4.00

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred House File No. 289, A bill for an act to increase the compensation of District Attorneys, report back to the House the accompanying substitute, with the recommendation that it do pass.

J. D. HUNTER, *Chairman*,

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred House File No. 855, A bill for an act to amend chapter 162 of the Revision of 1860, and fixing the fees of certain officers, report the same back to the House, with the recommendation that it do not pass.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred House File No. 92, A bill for an act to increase the compensation of certain officers, report the same back to the House, without recommendation.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred House File No. 148, A bill for an act in relation to compensation of County Superintendents, report the same back to the House, with the recommendation that it do pass.

J. D. HUNTER, *Chairman*.

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred substitute for Senate File No. 162, A bill for an act defining and establishing the salary of the Governor, other State officers, and Judges of the several Courts of the State, report the same back to the House, with the recommendation that it do pass without amendment.

J. D. HUNTER, *Chairman.*

Mr. Russell moved that the report of the Committee be adopted.

Mr. Toliver moved to amend by making janitor's compensation \$5 per day instead of \$4 per day.

The motion prevailed.

Mr. Millard moved to amend by making paper folders at \$5 instead of \$4 per day.

The motion prevailed.

Mr. Mahin moved to amend by striking out \$8 per day and insert \$10 per day as compensation for chief clerk.

The motion was lost.

Mr. Evans moved to amend the compensation of chief clerk by striking out \$8 and insert \$7 per day.

Hr. Harper moved the previous question, which was ordered.

The main question was then put.

The motion to amend by striking out \$8 and inserting \$7 per day, was lost.

The resolution was adopted.

Leave was granted Mr. Tait to offer the following resolution, which was adopted :

*Resolved by the House of Representatives, the Senate concurring,* that the Postmaster remain one week after the close of the session, for the purpose of forwarding mail that may come to the address of members and officers, and that he be allowed the sum of forty-two dollars therefor.

Mr. Mahin, from the Special Committee of Seven, submitted the following report :

MR. SPEAKER—Your Committee, to whom was referred Substitute for Senate File No. 8, A bill for an act in relation to the penalty on certain taxes, report the same back to the House, with the recommendation that it do pass.

MAHIN, *Chairman.*

Mr. Ketcham moved to take up Substitute for Senate File No. 8, A bill for an act in relation to the penalty on certain taxes.

The motion prevailed.

Mr. Traer moved the previous question, which was seconded.

The main question was ordered.

The bill was ordered engrossed.

On motion of Mr. Mahin, the rule was suspended and the bill read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Christoph, Crawford, Day, DeGroat, Dickerson, Dudley, Dumont, Elbert, Evans, Favile, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hobson, Hood, Hopkins, Hopkirk, Hunter, Jones, Kasson, Keables, Ketcham, Lee, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Russell, Sater, Satterthwaite, Snow, Stewart, Swan, Tait, Taylor, Traer, Tufts, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker—71.

The nays were—

Messrs. Arnold, Carver, Cutts, Durham, Hartshorn, Haycock, Huff, Lacey, Marks, Miles of Wayne, Morrison, Rohlf, Rosser, Rowell, Sanborn, Spencer, Stone, Stutsman, Teale, Toliver, and Wood—21.

Absent or not voting—

Messrs. Dunne, Green, Hirschler, Irish, Lommen, Pratt, Stanchfield, and Wilson—8.

So the bill passed and the title was agreed to.

Leave was granted Mr. Traer to introduce House File No. 360, A bill for an act to legalize the organization of and the election of directors of the independent school district of Shellsburg, Benton county Iowa,

Read first and second time, and ordered engrossed.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Big-Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, and Mr. Speaker—92.

The nays were— Mr. McCoun.—1

Absent or not voting—

Messrs. Evans, Green, Hirschler, Miles of Washington, Stanchfield, Wright of Allamakee, and Wright of Sac —7.

So the bill passed and the title was agreed to.

Mr. Traer moved to take up House File No. 296.

The motion prevailed.

On motion of Mr. Campbell the following message from the Governor was taken up and read.

EXECUTIVE OFFICE,  
DES MOINES, April 6, 1870. }

*Gentlemen of the Senate and House of Representatives :—*

I have the honor to transmit herewith, a memorial from the special committee appointed by the Soldiers' Re-union Committee, asking an appropriation of money to defray the expenses of a reunion of Iowa Soldiers, to take place on the first and second days of June next.

The extreme desirability of the proposed reunion, the general feeling in its favor that appears to pervade the soldiery of Iowa, and the eminent propriety of the suggestion that the State should aid in gratifying the desires of those who did her so much honor on the field of battle, constrain me to unite with the memorialists, and to urge that the General Assembly make an appropriation to aid in defraying the expenses of the proposed reunion. It is proper to observe that the brilliant record made for Iowa by her citizen soldiery during the late war, unsurpassed by that which adorns the history of any other member of the Republic, has cost the State Treasury of Iowa comparatively nothing. Other States paid large bounties to recruits; others again, increased from their own resources the stipends of their volunteers, and since the close of the contest many States have caused certificates of merit to be presented to their honorably discharged soldiers. It was not necessary that Iowa should offer any additional inducements for volunteers. Her citizens eagerly responded to the nation's calls, rapidly filling the quotas demanded by the government; and her surviving veterans rest satisfied with the honorable discharges earned and received from their country.

Now, that peace blesses all our land, and the principles for which the republic contended have just culminated in complete and final triumph, there is a peculiar felicity in the reunion of the veterans, yet in life, to grasp each others hands, to revive reminiscences of a glorified history, and to renew the bonds of fraternity, as well as for social enjoyment. As custodians of the people's moneys, we should be as careful in its expenditure as we are in the disposal of our private means, and allow of no undue prodigality. Yet to my mind there is a happy propriety in the suggestion that the State lend its aid in making for the proposed assemblage of those to whom State

and nation owe so much, the proper preparations in order that their reunion may be attended with a success worthy of those who will participate.

SAM. MERRILL.

DES MOINES, Iowa, March 30, 1870.

*To the General Assembly of the State of Iowa :—*

The undersigned, your memorialists, beg leave to represent to your Honorable Body that they were appointed a committee at a meeting of ex-soldiers and officers of Iowa regiments, held at Des Moines on the evening of March 30, 1870, to confer with the Governor and to respectfully ask an appropriation of twenty thousand dollars (\$20,000) or so much thereof as may be needed for the purpose of providing rations and meeting the contingent expenses necessary to be incurred in entertaining the Iowa soldiers at a grand reunion to be held at Des Moines on the first and second of June, 1870.

Your memorialists would farther represent that it is the desire of the organization which they represent, that the said amount shall be placed in the hands of the State Census Board, and that so much of it as may be necessary for the purposes contemplated only, be drawn and expended on requisitions of the Quartermaster of the State, duly approved by the Governor.

In farther explanation, your petitioners would represent that the railroad companies of Iowa, with unparalleled liberality, have agreed to convey to Des Moines and return, free of expense, all enlisted men, and the ex-officers at half rates, while the local committees at the capital propose to subscribe with equal liberality of their means, and to do the labor, and arrange all the preliminaries to make the proposed reunion a success.

Your memorialists are informed from the press, and from other sources from all parts of Iowa, that our ex-soldiery view the preparations with great enthusiasm, and intend to attend en masse; they have therefore deemed it a too onerous burden to be borne by any one locality alone, and in behalf of the survivors of the eighty thousand men which Iowa sent to the field, most respectfully but urgently appeal to the generosity and justice of your honorable body to make the appropriation.

Respectfully submitted.

J. H. HEDRICK,  
W. T. REID,  
WM. VANDEVER.

Mr. Campbell moved to take up Senate File No. 242, A bill for an act appropriating money to defray the expense of a reunion of soldiers.

The motion prevailed, and the bill was read first and second time. Mr. Morrison moved to refer to Committee of military men of the House.

Mr. Stutsman moved to amend by referring to the Military Committee.

Mr. Merritt moved the previous question, which was seconded.

The main question was ordered.

Mr. Lacy moved to reconsider the vote by which the main question was ordered.

Mr. Harper moved that Mr. Merritt have leave to withdraw the previous question.

The motion prevailed, and the previous question was withdrawn.

The motion to refer to Standing Committee was lost.

The bill was referred to a select Committee, with Mr. Brown of Fayette as Chairman.

Mr. Stewart moved to take up House File No. 296, A bill for an act for the government of the State University.

Messrs. Traer and Stewart demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Evans, Faville, Harper, Harrington, Hartshorn, Haycock, Hopkins, Hopkirk, Kasson, Keables, Ketcham, Lacey, Lee, Loumen, Mahin, McCoun, McGavren, Morrison, Murdock, Newbold, Norris, Rogers, Rosser, Russell, Sanborn, Sater, Snow, Spencer, Stewart, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Sac and Mr. Speaker—61.

The nays were—

Messrs. Bell, Butler, Campbell, Christoph, Crawford, DeGroat, Gibbons, Green, Hartenbower, Hobson, Hood, Huff, Hunter, Irish, Jones, Merritt, Miles of Wayne, Millard, Mills, Noel, O'Donnell, Rohlf, Rowell, Swan, Toliver and Wright of Allamakee—26.

Absent or not voting—

Messrs. Arnold, Day, Harrison, Hirschler, Marks, Miles of Washington, Miller, Miracle, Parsons, Pratt, Satterthwaite, Stanchfield and Stone—13.

So the motion to take up the bill prevailed.

The bill was taken up, and on motion of Mr. Sater was considered by sections.

Mr. Toliver from the Committee on Enrolled Bills submitted the following report:

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

Senate File No. 102, A bill for an act to establish an Industrial Home for the Blind.

Senate File No. 98, A bill for an act authorizing cities and towns to punish for violation of ordinances and by-laws.

Senate File No. 175, A bill for an act to provide for furnishing the Deaf and Dumb Asylum at Council Bluffs, and for the removal and maintenance of the same.

Senate File No. 170, A bill for an act to amend section 1020 of the Revision of 1860, and to provide for orders for the record of village plats to be made by a Circuit or District Judge in vacation.

Senate File No. 177, A bill for an act to empower cities to take private property and appropriate the same to public uses in certain cases.

Senate File No. 213, A bill for an act to legalize the organization, and acts, ordinances, orders, notices, and proceedings of the city of Fairfield as a city of the second class.

Senate File No. 95, A bill for an act creating a Commission to revise the statutes of Iowa, and defining their duties, and providing for the publication and distribution of their report.

Senate File No. 198, A bill for an act releasing to James H. Jordan, of Davis county, Iowa, the interests of the State of Iowa in and to the north half of section 10, township 70, north of range 12, west, in Davis county, Iowa.

House File No. 293, A bill for an act for the protection of birds.

Senate File No. 86, A bill for an act carry out the provisions of an act of Congress, approved May 15, 1856, granting lands to Iowa to aid in the construction of railroads, and secure the early completion of the Tetes Des Morts branch of the Dubuque and Sioux City Railroad.

G. S. TOLIVER, *Chairman.*

Mr. Rowell moved to strike out "Superintendent of Public Instruction," in section 3.

The motion did not prevail.

Mr. Teale moved to strike out the word "law," in section 5.

The motion did not prevail.

Mr. Norris moved to amend by striking out all after the word "law," and inserting the word "and," before the word "law."

The motion was lost.

Mr. Irish offered the following as a substitute for the bill :

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the State University at Iowa City shall be governed by a Board of Regents, consisting of one from each Congressional District of the State, who shall be elected in joint convention by the General Assembly. The Governor of the State shall be ex-officio President of the Board of Regents, and the President of the University Faculty shall be a regent ex-officio.



SEC. 2. The members of said Board elected by the Thirteenth General Assembly, shall, at their first meeting, be divided into three classes, consisting of two in each class. The members of the first class shall hold their office for the term of two years. Those of the second class, for four years. And those of the third class for six years, and until their successors are elected and qualified. The General Assembly shall elect members every two years, as the terms of office of the respective classes require. The Board of Regents shall fill all vacancies occurring therein, except when the Legislature is in session, and the persons so appointed shall hold their offices until the next session of the General Assembly.

SEC. 3. The Board of Regents shall be in all things controlled by, and do all the duties prescribed in the various laws now in force for the government of the Board of Trustees of the State University.

SEC. 4. All acts and parts of acts in contravention hereof are hereby repealed,

SEC. 5. This act to be in force from and after its publication in the *Des Moines Bulletin* and *Iowa State Register*.

On motion of Mr. Gibbons the House adjourned.

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TWO O'CLOCK P. M.

The House met pursuant to adjournment.  
Speaker in the chair.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and the concurrence of the House is asked :

Substitute for Senate File No. 96, A bill to repeal section 1097 of the Revision of 1860, and enact a substitute therefor.

Senate File No. 169, A bill for an act to amend section 720 of chapter 45 of the Revision of 1860, in relation to revenue.

Senate File No. 190, A bill for an act to repeal Sec. 799 of the Revision of 1860, and to provide a substitute therefor in relation to time of payment of money from County Treasurers into State Treasury.

Senate File No. 243, A bill for an act to amend chapter 55 of the Revision of 1860.

Senate File No. 244, A bill for an act to repeal section 2 of chapter 169 of the laws of the 9th General Assembly, and enact a

substitute therefor in relation to the duties of Railroad Companies.

I also return herewith House File No. 181, A bill for an act to constitute township trustees a board of equalization for their respective townships, which has passed the Senate with the following amendment:

Strike out of the 1st section the words, "several persons," insert the word "property." In which the concurrence of the House is asked.

J. A. T. HULL,  
*1st Assist. Secretary.*

Mr. Wilson, from the Committee on Conference, on substitute for House File No. 8 and 117 submitted the following report:

MR. SPEAKER—The Committee on Conference to whom was referred substitute for House File Nos. 8 and 117, A bill for an act for the taxation of railroads, beg leave to report that they have had the same under consideration, and have agreed to the following recommendation: That the Senate recede from its amendment to the 2d section of said bill, and accept the following in lieu thereof:

"The State Treasurer shall levy on said gross receipts taxes as follows: On the first three thousand dollars and under per mile, one per centum; on the excess over three thousand dollars and under six thousand dollars, per mile, two and a half per centum; and on the excess over six thousand dollars, per mile, three and a half per centum."

That the House concur in the foregoing amendments and recede from its nonconcurrence in all other Senate amendments to said bill and do concur in said Senate amendments.

CHARLES BEARDSLEY,  
H. C. TRAVERSE,

*Committee on part of the Senate.*

Senator COUCH *dissenting.*

JAMES WILSON,  
P. G. WRIGHT,  
O. DUDLEY,

*Committee on part of the House.*

The House resumed the consideration of House File No. 296, A bill for an act for the government of the State University, and the substitute therefor.

The question recurring on the substitute, it was lost.

Mr. Marks moved to amend as follows: Insert in the 2d line of section 4, after the word "Assembly," the following, to-wit: "And Regents continued in office from the former Board of Trustees;" and add to the end of section 4th the following, to-wit: "Provided, that the present members of the Board of Trustees shall continue in

office and be members of the Board of Regents, under the reorganization hereby provided for, till the expiration of the time for which they were elected Trustees; and their successors shall be elected to fill a vacancy or for a full term, according to the division into classes provided for in this section."

Mr. Wilson moved that the House concur in the report of the Committee on Conference on the substitute for House File Nos. 8 and 117, A bill for an act for the taxation of railroads.

On the adoption of the report, the yeas and nays were as follows:  
The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—82.

The nays were—

Messrs. Arnold, Brown of Fayette, Butler, Cutts, Day, DeGroat, Dunne, Haycock, Hobson, McCoun, Morrison, Swan, Teale, and Wright of Sac—14.

Absent or not voting—

Messrs. Hirschler, Miller, Pratt, and Snow—4.

So the report of the Conference Committee was adopted.

Mr. Dudley moved the previous question, which was seconded.

The main question was put.

The motion of Mr. Marks to amend was lost.

On the question to order the bill engrossed, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carpenter, Carver, Cutts, Dudley, Dumont, Durham, Evans, Harper, Harrington, Hartshorn, Haycock, Hopkirk, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, McGavren, Miles of Wayne, Millard, Morrison, Murdock, Newbold, Norris, Rogers, Rosser, Russell, Sanborn, Sater, Spencer, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Wasson, Williams, Wilson, Wood, Wright of Sac, and Mr. Speaker—55.

The nays were—

Bell, Brown of Van Buren, Butler, Campbell, Christoph, Crawford, Day, DeGroat, Dickerson, Dunne, Elbert, Evans, Faville, Gibbons, Green, Harrison, Hartenbower, Hobson, Hood, Hopkins, Hunter,

Jones, Mahin, Marks, McCoun, Merritt, Miles of Washington, Miller, Mills, Noel, O'Donnell, Rohlf, Rowell, Satterthwaite, Stanchfield, Swan, Toliwer, Warner, and Wright of Allamakee—39.

Absent or not voting—

Messrs. Hirschler, Irish, Miracle, Parsons, Pratt, and Snow—6.

The bill was ordered engrossed.

Mr. Stewart moved that the rule be suspended and the bill read a third time.

The motion did not prevail.

Leave was granted Mr. Russell to call up Senate File No. 135, A bill to provide for the taxation of the real and personal property of express and telegraph companies.

Mr. Rowell moved to reconsider the vote by which Senate File No. 224 passed.

The House considered Senate File No. 135.

Mr. Dudley moved to strike out that part that relates to taxes heretofore levied.

Mr. Traer moved the previous question, which was seconded.

The main question was ordered.

The motion to amend was lost.

The bill was ordered engrossed.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Day, DeGroat, Dickerson, Dumont, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Toliwer, Traer, Warner, Wasson, Williams, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker.—84.

The nays were—

Messrs. Cutts, Dudley, Harrington, Haycock, Lacey, Sater, Taylor, Teale, Tufts, and Wilson—10.

Absent or not voting—

Messrs. Christoph, Crawford, Hirschler, Parsons, Pratt, and Snow—6

So the bill passed and the title was agreed to.

On motion of Mr. Miles, of Washington, Senate Files Nos. 172

and 320 were made the special order for to-morrow, at 2 o'clock P. M., April 8th.

Leave was granted Mr. Kasson to offer the following resolution :

*Resolved*, That at 10 o'clock to-morrow morning the House will proceed to the consideration of bills on their third reading.

On its adoption, Messrs. Cutts and Traer demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Ball, Bigger, Brown of Fayette, Bundy, Butler, Campbell, Carver, Day, DeGroat, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Hartenbower, Hartshorn, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Satterthwaite, Snow, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale Toliver, Tufts, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Messrs. Arnold, Beatty, Bell, Bonewitz, Brown of Van Buren, Butterfield, Carpenter, Cutts, Dickerson, Dumont, Harrington, Harrison, Haycock, Hobson, Lacey, Lee, Lommen, Morrison, Norris, Rosser, Russell, Sanborn, Sater, Spencer, Traer, Warner, Wasson, Williams, and Wilson—29.

Absent or not voting—

Messrs. Beresheim, Christoph, Crawford, Dudley, Hirschler, Pratt, and Stanchfield—7.

So the resolution was adopted.

Leave was granted Mr. Rogers to call up Senate File No. 188, A bill for an act to enable townships, incorporated towns, and cities to aid in the construction of railroads, which was taken up and considered.

Mr. Marks moved to amend section 2 by striking out the words "a majority," and inserting "two-thirds."

The motion did not prevail,

The bill was ordered engrossed.

On motion of Mr. Millard, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bonewitz, Brown of Fayette, Butler, Butterfield, Carpenter, Cutts, Day, DeGroat, Dumont, Dunne, Durham, Faville, Gibbons, Green, Harrington, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacy, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle,

Murdock, O'Donnell, Rogers, Rholsa, Rowell, Russell, Sanborn, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—62.

The nays were—

Messrs. Ball, Beatty, Bell, Beresheim, Bigger, Brown of Van Buren, Bundy, Carver, Dickerson, Elbert, Evans, Harper, Hopkirk, Hunter, Miles of Washington, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwait, Snow, Stutsman, Teale, Toliver, and Tufts—26.

Absent or not voting—

Messrs. Campbell, Christoph, Crawford, Dudley, Harrison, Hirschler, Hood, Parsons, Pratt, Traer, Wilson, and Wood—12.

So the bill passed and the title was agreed to.

Mr. Williams from the Committee on Penitentiary had leave to submit the following report:

MR. SPEAKER—Your Committee on Penitentiary to whom was referred House File No. 339, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary, report the same back to the Senate, with the recommendation that it do pass.

H. B. WILLIAMS, *Chairman.*

By leave, Mr Harper introduced the following resolution :

*Resolved*, That all bills for acts to legalize the acts of officers, incorporations, &c., be made the special order for this (Thursday) evening, at 7½ o'clock, and that a session be held for that purpose.

The resolution was lost.

Leave was granted Mr. Cutts to offer a resolution in relation to the Des Moines river land grant, which was referred to the Committee on Railroads.

Mr. Taylor moved to take up Senate File No. 113, A bill for an act creating a Department of Insurance.

The motion prevailed, and the bill was read first and second time, and referred to the Committee on Organizations, and made the special order for Saturday, April 9th, at 10 A. M.

Senate File No. 193, A bill for an act for the government of Hospital for the Insane, defining the legal relations of insane persons and providing for their cure and protection.

Read first and second time and referred to the Committee on Insane Asylum.

Mr. Mills moved that House File No. 350, A bill for an act to enlarge the powers to cities acting under special charters, be made the special order for Friday, April 8th, at 4 o'clock P. M.

The motion did not prevail.

On motion of Mr. Mills, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 April 8, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. T. O. Rice.

On motion of Mr. Lee the reading of the journal of yesterday was dispensed with.

Mr. Lee moved to take up Senate File No. 105, A bill for an act to provide for the completion of the north wing and the improvements of the grounds and farm of the Iowa Hospital for the Insane at Independence.

Leave was granted Mr. Bell to change his vote on Senate File No. 188, to "nay."

On the motion to reconsider the vote by which House File No. 260 passed the House, Mr. Wilson moved to lay the motion to reconsider on the table, on which Messrs. Brown of Van Buren and Haycock demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Bigger, Bundy, Butler, Butterfield, Carpenter, Christoph, Crawford, Cutts, DeGroat, Dickerson, Dudley, Durham, Gibbons, Harper, Harrington, Hartshorn, Hopkins, Huff, Hunter, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, Noel, O'Donnell, Parsons, Stanchfield, Stewart, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—48.

The nays were—

Messrs. Beatty, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carver, Day Elbert, Harrison, Hartenbower, Haycock, Hobson, Hood, Hopkirk, Irish, Ketcham, Marks, McCoun, Morrison, Newbold, Norris, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stutsman, Swan, Tait, Taylor, Teale, Traer, Wood, Wright of Sac—40.

Absent or not voting—

Messrs. Dumont, Dunne, Evans, Faville, Green, Hirschler, Miller, Pratt, Rohlf, Stone, Toliver, and Williams,—12.

So the motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the following bills in which the concurrence of the House is asked.

Substitute for Senate File No. 52, A bill for an act providing for

publication of the Report of the State Geologist and for the distribution of the same.

Substitute for Senate File No. 150, A bill for an act in relation to the duties and compensation of the County Superintendent of Common Schools.

Senate File No. 219, A bill for an act to reimburse Capt. R. L. Freeman of Elkader, Iowa, Capt. Co. K, 1st Iowa Cav. for subsistence furnished said company during its organization in the spring and summer of 1861.

Senate File No. 226, A bill for an act to authorize counties to establish and maintain High Schools.

Also House File No. 237, A bill for an act to legalize certain acts of the Board of Supervisors of Marshall county, Iowa, with the following amendment: By striking out in the preamble all after the word "Iowa" in the second line to the word "established" in the 22d line, in which the concurrence of the house is asked.

JAMES M. WEART, *Secretary*.

Senate File No. 105 was taken up.

Mr. Sanborn moved that the House recede from its amendments. The motion did not prevail.

Mr. Dudley moved that a Committee on Conference be appointed on the part of the House.

The motion prevailed.

The Speaker appointed Messrs. Dudley, Miles of Washington and Crawford.

Mr. Harper moved to take up House File No. 233, A bill for an act to increase the compensation of County Treasurers.

The motion prevailed and the bill was ordered engrossed.

On motion of Mr. Harper the rule was suspended, and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bigger, Bundy, Butler, Carver, Christoph, Cutts, Day, Durham, Elbert, Evans, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hood, Hopkins, Huff, Hunter, Irish, Jones, Keables, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miller, Mills, Murdock, Newbold, Rogers, Rohlf, Rowell, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Toliver, Traer, Warner, Wasson, Wright of Allamakee, Wright of Sac and Mr. Speaker—56.

The nays were—

Messrs. Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carpenter,



Crawford, DeGroat, Dickerson, Faville, Haycock, Hobson, Hopkirk, Lommen, McCoun, Miles of Wayne, Millard, Miracle, Morrison, Noel, Norris, Rosser, Russell, Sanborn, Spencer, Stutsman, Teale, Williams, Wilson and Wood—34.

Absent or not voting—

Messrs. Dudley, Dumont, Dunne, Hirschler, Kasson, Ketcham, O'Donnell, Parsons, Pratt, and Tufts—10.

So the bill passed and the title was agreed to.

Leave was granted Mr. Butler to introduce House File No. 261, A bill for an act to legalize the organization of an Independent School District, formed from portions of Page and Taylor counties.

Read first and second time.

Mr. Taylor moved to refer the bill to the Committee on Schools.

The motion was lost.

The bill was ordered engrossed.

Mr. Buttler moved that the rule be suspended, and the bill read a third time now.

The motion prevail.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Carpenter, Carver, Christoph, Crawford, Cutts, Dickerson, Durham, Elbert, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Huff, Hunter, Jones, Kasson, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, Merritt, Miles of Wayne, Millard, Miracle, Murdock, Newbold, Norris, O'Donnell, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stanchfield, Stewart, Stutsman, Swan, Toliver, Traer, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac and Mr. Speaker—60.

The nays were—

Messrs. Ball, Beatty, Bundy, Butterfield, Campbell, Day, Dudley, Haycock, Hopkirk, Mahin, McGavren, Miles of Washington, Miller, Mills, Morrison, Rohlf, Sater, Snow, Spencer, Tait, Taylor, Tufts, Wilson and Wood—24.

Absent or not voting—

Messrs. DeGroat, Dumont, Dunne, Evans, Green, Harrington, Harrison, Hirschler, Irish, Keables, Noel, Parsons, Pratt, Stone, and Teale—15.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate, refuses to adopt the report of the Committee of Conference

on the disagreeing vote of the two Houses on House File No. 264, A bill for an act providing for the taxation of railroad property, and adheres to its amendments.

J. A. T. HULL,  
*1st. Assist. Secretary.*

Mr. McCoun moved to reconsider the vote by which House File No. 261, passed.

Mr. Buttler moved to lay the motion to reconsider on the table. The motion prevailed.

#### BILLS ON THIRD READING.

House File No. 53, A bill for an act to legalize the tax lists of Wayne county for the years 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867 and 1868, was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Bigger, Brown of Van Buren, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Elbert, Faville, Gibbons, Harper, Harrington, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rholfs, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Traer, Warner, Wasson, Williams, Wilson, Wright of Allamakee, Wright of Sac and Mr. Speaker—86.

The nays were—

Messrs. Hartshorn, Mahin, Toliver, Tufts, Wood—5.

Absent or not voting—

Messrs. Dumont, Evans, Green, Harrison, Kasson, McCoun, Parsons, Pratt, Rogers—9.

So the bill passed and the title was agreed to.

House File No. 49, A bill for an act to amend chapter 116 of the Revision of 1860, relating to the limitations of actions, was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bigger, Brown of Van Buren, Bundy, Butler, Campbell, Christoph, Crawford, Day, DeGroat, Dickerson, Evans, Faville, Hartenbower, Hartshorn, Haycock, Hood,

Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Mahin, McCoun, Mills, Miracle, Murdock, Noel, Norris, O'Donnell, Rogers, Rosser, Rowell, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—49.

The nays were—

Messrs. Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Butterfield, Carpenter, Carver, Cutts, Dudley, Durham, Elbert, Harper, Harrison, Hobson, Hopkins, Hopkirk, Keables, Lacey, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Rohlf, Russell, Sanborn, Sater, Snow, Toliver, Traer, Warner, Wasson, Williams, Wilson and Wood—41.

Absent or not voting—

Messrs. Dumont, Dunne, Gibbons, Green, Harrington, Hirschler, Parsons, Pratt, Swan and Tufts—10.

So the bill failing to receive a constitutional majority, was lost.

Mr. Kasson moved to take up Senate File No. 72, A bill for an act to provide a State Capitol.

The motion prevailed, and the bill was read a third time.

Mr. Brown of Van Buren moved to amend by adding the following by way of rider :

Sec. 6. No money hereby appropriated shall be paid out until the Census Board shall certify to the Treasurer of State that the resources of the treasury, without increasing the rate of taxation, are sufficient to meet the proposed disbursements, after other appropriations are allowed."

The motion prevailed.

Mr. Stone moved to amend by way of rider as follows :

In addition to the Commissioners provided for in this act, Gen. G. M. Dodge, of Pottawattomie county, and Hon. James F. Wilson, of Jefferson county, are hereby appointed Commissioners from the State at large, who shall hold their office for the term of two years and until their successors are elected and qualified. Their duties shall be such as are imposed upon the other Commissioners, and they shall in all respects be subject to the same requirements herein made of the other Commissioners, except in the manner of their election.

The motion prevailed.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Beresheim, Bundy, Butler, Campbell, Crawford, Day, DeGroat, Dunne, Durham, Faville, Gibbons, Hartenbower, Hirschler, Hood, Hopkins, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Marks, McCoun, McGavren, Merritt, Millard, Miller, Mills, Miracle, Murdock, Noel, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Satterthwaite, Spencer, Stewart, Stone,

Swan, Tait, Taylor, Teale, Toliver, Tufts, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—52.

The nays were—

Messrs. Arnold, Ball, Beatty, Bell, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Carpenter, Carver, Christoph, Cutts, Dickerson, Dudley, Elbert, Evans, Green, Harper, Harrington, Harrison, Hartshorn, Haycock, Hobson, Hopkirk, Huff, Lacey, Lommen, Mahin, Miles of Washington, Miles of Wayne, Morrison, Newbold, Norris, Rosser, Russell, Sanborn, Sater, Snow, Stanchfield, Stutsman, Traer, Warner, Wasson, Williams and Wilson—46.

Absent or not voting—

Messrs. Dumont and Pratt—2.

So the bill passed and the title was agreed to.

Mr. Tufts moved to reconsider the vote by which the bill passed.

Mr. Russell moved to lay the motion to reconsider on the table on which Messrs. Stutsman and Traer demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Crawford, Day, DeGroat, Dickerson, Durham, Elbert, Faville, Gibbons, Green, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Kasson, Keables, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, Parsons, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Taylor, Teale, Toliver, Warner, Williams Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—66.

The nays were—

Messrs. Arnold, Beatty, Butterfield, Carver, Christoph, Cutts, Dudley, Dunne, Evans, Harper, Harrington, Harrison, Hartshorn, Haycock, Hopkirk, Huff, Ketcham, Lacey, Lommen, Mahin, Morrison, O'Donnell, Rogers, Sater, Stewart, Stone, Tait, Traer, Tufts, Wasson and Wilson—31.

Absent or not voting—

Messrs. Bigger, Dumont and Pratt—3.

So the motion to lay on the table prevailed.

Mr. Stutsman moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

On motion of Mr. Rogers, further proceedings under the call were dispensed with.

Substitute for House Files Nos. 7 and 18, A bill for an act to amend article 11, of chapter 22, of revision of 1860, creating a Board of Supervisors, and acts amendatory thereto, was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Arnold, Ball, Bell, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, Dudley, Durham, Elbert, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Murdock, Newbold, Noel, Norris, Rohlf, Rosser, Rowell, Satterthwaite, Snow, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, and Traer—59.

The nays were—

Messrs. Applegate, Beatty, Bonewitz, Butterfield, Crawford, Day, DeGroat, Dickerson, Dunne, Evans, Faville, Harrington, Haycock, Hopkins, Lommen, Merritt, Mills, Morrison, O'Donnell, Parsons, Rogers, Russell, Sanborn, Sater, Spencer, Stanchfield, Taylor, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—36.

Absent or not voting—

Messrs. Christoph, Dumont, Kasson, Miracle, and Pratt—5.

So the bill passed and the title was agreed to.

Mr. Brown, of Van Buren, moved to reconsider the vote by which the bill passed.

Mr. Dudley moved to lay the motion to reconsider on the table.

The motion prevailed.

Mr. Toliver from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER—The Committee on enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :

Senate File No. 156, A bill for an act to legalize the acts of the officers of the independent school district of the town of Moingona, in the county of Boone.

House File No. 78, A bill for an act to authorize and empower cities to build and maintain toll bridges, and to provide therefor.

House File No. 231, A bill for an act to authorize foreign guardians to receive the property within this State belonging to non-resident minors.

House File No. 69, A bill for an act to provide for the prohibition of the sale of ale, wine, and beer in counties, by a vote of the people.

G. S. TOLIVER, *Chairman.*

House File No. 65, a bill for an act to amend section 799, of the Revision of 1860, relative to the semi-annual payments of County Treasurers, was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bereshiem, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Carpenter, Carver, Crawford, Cutts, Dickerson, Dudley, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Norris, Parsons, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Warner, Wasson, Williams, Wright of Allamakee, and Mr. Speaker—73.

The nays were—

Messrs. Bonewitz, Butterfield, DeGroat, Mahin, O'Donnell, Wood—6.

Absent or not voting—

Messrs. Campbell, Christoph, Day, Dumont, Green, Hirschler, Jones, Kasson, Keables, Ketcham, Miracle, Morrison, Noel, Pratt, Rogers, Satterthwaite, Stone, Traer, Tufts, Wilson, and Wright of Sac—21.

So the bill passed and the title was agreed to.

Leave was granted Mr. Toliver, from the Committee on County and Township Organizations to submit the following report:

MR. SPEAKER—You Committee on County and Township Organization, to whom was referred House File No. 324, A bill for an act to amend section 846, of the Revision of 1860, report the same back to the House with the recommendation that it do pass.

G. S. TOLIVER, *Chairman.*

Senate File No. 101, A bill for an act to provide for the purchase of G. G. Green's reports of the decisions of the Supreme Court of Iowa was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Bigger, Campbell, Crawford, Cutts, Day, DeGroat, Dunne, Elbert, Gibbons, Green, Hartshorn, Hobson, Hood, Huff, Hunter, Jones, Lacey, Lee, Marks, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Noel, O'Donnell, Parsons, Rohlf, Rowell, Sanborn, Stanchfield, Stone, Swan, Toliver, Warner, Wasson, Williams, Wright of Allamakee, Wright of Sac and Mr. Speaker—43.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bonewitz,

Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Dickerson, Dudley, Durham, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Haycock, Hopkins, Hopkirk, Irish, Keables, Ketcham, Lommen, Mahin, McCoun, Miles of Washington, Morrison, Newbold, Norris, Rosser, Russell, Sater, Snow, Stewart, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Wilson, and Wood—47.

Absent or not voting—

Messrs. Brown of Fayette, Christoph, Dumont, Hirschler, Kasson, McGavren, Pratt, Rogers, Satterthwaite, Spencer—10.

So the bill was lost.

Mr. Dudley moved to reconsider the vote by which the bill was lost.

Mr. Traer moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider the motion by which the bill was lost, prevailed.

Mr. Wilson moved to recommit the bill to the Committee on Ways and Means.

The motion prevailed.

House File No. 296, A bill for an act for the government of the State University was read a third time.

On the question shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carpenter, Carver, Cotts, Dudley, Durham, Evans, Harper, Harrington, Hartshorn, Haycock, Hopkirk, Kasson, Keables, Lacey, Lommen, McGavren, Millard, Miller, Morrison, Murdock, Newbold, Norris, Rosser, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Traer, Tufts, Wasson, Wilson, Wood—48.

The nays were—

Messrs. Ball, Bell, Brown of Van Buren, Butler, Campbell, Crawford, DeGroat, Dickerson, Elbert, Faville, Gibbons, Green, Harrison, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Jones, Lee, Marks, McCoun, Merritt, Miles of Washington, Miles of Wayne, Mills, Miracle, Noel, O'Donnell, Rogers, Rohlf, Rowell, Satterthwaite, Swan, Teale, Toliver, Warner, Wright of Allamakee, Mr. Speaker—41.

Absent or not voting—

Messrs. Christoph, Day, Dumont, Dunne, Irish, Ketcham, Mahin, Parsons, Pratt, Williams, Wright of Sac—11.

The bill failed to receive a constitutional majority, and did not pass.

Mr. Mills moved that Senate File 168, A bill for an act to facilitate the acquisition of the right of way over the line of abandoned

railways, and to facilitate the construction of the same, be now taken up.

The motion prevailed, and the bill was read first and second time, and ordered engrossed.

On motion of Mr. Russell, the rule was suspended and the bill read a third time.

Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stuteman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee and Mr. Speaker—86.

The nays were none.

Absent or not voting—

Messrs. Beatty, Christoph, Dumont, Dunne, Gibbons, Harrison, Hartenbower, Hirschler, McCoun, Parsons, Pratt, Satterthwaite, Teale and Wright of Sac—14.

So the bill passed and the title was agreed to.

Mr. Merritt moved to take up Senate File No. 229, A bill for an act to enable independent school districts to borrow money for the erection of school houses.

The motion prevailed, and the bill was ordered engrossed.

On motion of Mr. Merritt, the rule was suspended, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Noel, Norris, Rholf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart,



Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Warner Wason, Williams, Wilson, Wood, Wright of Allamakee and Mr. Speaker—78.

The nays were—

Messrs. Russell, Sater and Wilson—3.

Absent or not voting—

Messrs. Arnold, Bundy, Christoph, Dumont, Dunne, Green, Hirschler, Huff, Hunter, Miracle, Morrison, O'Donnell, Parsons, Pratt, Rogers, Satterthwaite, Stone, Tufts and Wright of Sac—19.

So the bill passed and the title was agreed to.

On motion of Mr. Taylor, Senate File No. 219, A bill for an act to reimburse Capt. R. L. Freeman, was taken up and read first and second time, and referred to the Committee on Ways and Means.

On motion of Mr. Applegate, the House adjourned.

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TWO O'CLOCK, P. M.

The House met pursuant to adjournment.  
Speaker in the Chair.

MESSAGE FROM THE SENATE.

The following message from the Senate was received :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills and joint resolutions, in which the concurrence of the House is asked :

Senate File No. 184, A bill for an act to regulate the compensation of District Attorneys.

Senate File No. 222, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary.

Senate File No. 245, A bill for an act changing the name of Oscola county.

Senate File No 246, A bill for an act to legalize certain acts of the Mayor and town council of the incorporated town of West Liberty.

Joint resolution in relation to the Des Moines River land grant.

Memorial and joint resolution, asking Congress to declare Turkey river navigable.

Also the following concurrent resolution :

*Resolved by the Senate, the House of Representatives concurring,*  
That in the matter of Chaplain services, Rev. Wells (colored) is, and of right should be, entitled to his distributive share of whatever may be allowed and paid for said services to the clergy, the same as others.

In which the concurrence of the House is asked.

I am also directed to return to your honorable body the following bills and joint resolution, which have passed the Senate without amendment:

House File No. 351, A bill for an act to provide for the erection of school districts from territory lying in adjoining counties.

House File No. 258, A bill for an act for the relief of certain settlers upon the Des Moines river lands.

House File No. 259, A bill for an act to be entitled An act in relation to occupying claimants.

Joint resolution asking a grant of land to indemnify settlers upon the Des Moines river lands.

I herewith return Senate File No. 224, A bill for an act to locate county seats in certain cases.

J. A. T. HULL,  
*First Assistant Secretary.*

Mr. Rosser moved to take up House File No. 181, A bill for an act to constitute Township Trustees a Board of Equalization.

The motion prevailed.

On the question of concurring in the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonowitz, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dunne, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac, and Mr. Speaker—90.

The nays were none.

Absent or not voting.

Messrs. Beatty, Brown of Fayette, Bundy, Dumont, Gibbons, Harrison, Pratt, Stone, Williams, and Wright of Allamakee—10.

So the Senate amendments were agreed to.

Mr. Dudley moved that the House reconsider the vote by which the House agreed to the report of the Conference Committee, on House File No. 264, A bill for an act providing for the taxation of property of railroad companies.

The motion prevailed.

Mr. Dudley moved that the House recede from its disagreement to Senate amendments.

The motion prevailed.

Mr. Hobson moved to amend by striking out that portion of the bill in relation to bridges.

Mr. Spencer moved the previous question, which was seconded.

The main question was ordered.

The motion to strike out the section in relation to bridges did not prevail.

On the question, "shall the House concur in the Senate amendments?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Hood, Hopknis Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Newbold, Noel, Norris, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac, and Mr. Speaker—73.

The nays were—

Messrs. Bonewitz, Butler, Campbell, Dickerson, Harrison, Haycock, Hirschler, Hobson, Irish, McCoun, Mills, Morrison, Murdock, O'Donnell, Parsons, Russell, Snow, Stutsman, Teale, and Wright of Allamakee—20.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Miller, Miracle, Pratt, and Williams—7.

So the House concurred in the Senate amendments.

Mr. Rowell moved to reconsider the vote by which the rule was suspended and Senate File No. 224 was read a third time.

The motion prevailed.

On motion of Mr. Rowell, the bill was referred to the Committee on County and Township Organization.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No 203, A bill for an act to amend section 1794, of the Revision of 1860, and regulating the negotiability of certain instruments.

Senate File No. 237, a bill for an act for the relief Jasper county for money stolen from county safe.

I also return herewith House File No. 100, A bill for an act for the compilation and publication of the road laws, and the distribution of the same, which has passed the Senate without amendment.

C. V. GARDNER, *Asst. Secretary.*

The Speaker announced that the hour had arrived for the consideration of the special order, Senate File No. 172, A bill for an act making further appropriations for the Hospital for the insane at Mount Pleasant.

On motion of Mr. Miles, the special order was taken up.

The bill was ordered engrossed.

On motion of Mr. Newbold, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bone-witz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Rowell, Russell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac, and Mr. Speaker—79.

The nays were—

Messrs. Crawford, and Rogers—2.

Absent or not voting—

Messrs. Christoph, DeGroat, Dudley, Dumont, Dunne, Green, Hartenbower, Hunter, Kasson, Miles of Wayne, Morrison, Sanborn, Stewart, Stone, Swan, Taylor, Williams, and Wright of Al-lamakee—19.

So the bill passed and the title was agreed to.

The Special Order House File No. 320, A bill for an act making appropriation for the Hospital for the Insane at Mount Pleasant was taken up.

Mr. Murdock moved that the bill be engrossed.

Mr. Rogers moved that the bill be laid on the table.

The motion prevailed.

Mr. Lacey moved that the bill be indefinitely postponed.

Mr. Miles of Washington moved to postpone until Monday next at 2 o'clock p. m.

Mr. Lacey moved to amend by striking out "Monday next" and inserting July 4th.

The motion did not prevail.

The motion to postpone until Monday next prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 72, A bill for an act to provide a State Capitol, and Substitute for Senate Files Nos. 7 and 18, A bill for an act to amend article 11 of chapter 22 of the Revision of 1860, and acts amendatory thereto.

J. A. T. HULL,  
*First Assistant Secretary.*

MESSAGES ON THE SPEAKER'S TABLE.

Senate File No. 52, A bill for an act providing for the publication of the report of the State Geologist and for the distribution of the same was read first and second time and referred to Committee on Printing.

Senate File No. 204, A bill for an act to amend chapter 101 of the Revision of 1860 pertaining to husband and wife and regulating their rights and liabilities.

Read a first and second time, and referred to Committee on Judiciary.

Senate File No. 205, A bill for an act to amend chapter 100 of the Revision of 1860, in relation to the estates of decedents.

Read a first and second time and referred to Committee on Judiciary.

Senate File No. 206, A bill for an act to amend section 2582 of the Revision of 1860, in relation to divorce and alimony.

Read first and second time and referred to Committee on Judiciary.

Senate File No. 207, A bill for an act to amend chapter 86 of the laws of the 12th General Assembly in relation to courts.

Read first and second time and referred to Committee on Judiciary.

Senate File No. 208, A bill for an act to amend the code of civil practice.

Read first and second time and referred to Committee on Judiciary.

Senate File No. 209, A bill for an act to amend Part IV, of the Revision of 1860, in relation to crimes, punishments, and proceedings in criminal cases, which was read first and second times and referred to the Committee on Judiciary.

Senate File No. 236, A bill for an act to authorize the Governor to patent certain University lands, situated in Lucas county, which was read first and second time and referred to Committee on University.

Senate File No. 217, A bill for an act making appropriations for the Iowa State Agricultural College and Farm, which was read first and second time and placed on file.

Senate File No. 259, A bill for an act to enable municipal and public corporations at the election, to settle, adjust, and compound their indebtedness, and to provide for the issue of new bonds, and for the payment of such new bonds by the levy of specific taxes, and for this purpose altering and amending existing charters and laws, which was read first and second time and referred to the Committee on Judiciary.

Senate File No. 96, A bill for an act to repeal section 1097, of the Revision of 1860, and to enact a substitute therefor, which was read first and second times and referred to the Committee on Judiciary.

Senate File No. 169, A bill for an act to amend section 720, of of chapter 45, of the Revision of 1860, in relation to revenue, was read first and second times, and referred to the Committee of Ways and means.

Senate File No. 190, A bill for an act to repeal section 799, of the Revision of 1860, and to provide a substitute therefor, in relation to time of payment of money from the county treasury out of the State treasury, was read first and second time, and referred to Committee and Ways and Means.

Senate File No. 243, a bill for an act to amend section 55, of the revision of 1860, was read first and second time and referred to the Committee on Judiciary.

Senate File No. 244, A bill for an act to repeal section 2, chapter 169, of the laws of the Ninth General Assembly, and to enact a substitute therefor, was read first and second times, and referred to the Committee on internal improvements.

Senate File No. 246, A bill for an act to legalize certain acts of the Mayor and town council of the town of West Liberty, was read first and second times, and ordered engrossed.

On motion of Mr. Evans, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen,

Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Williams, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—83.

The nays were—

Mr. Spencer—1.

Absent or not voting—

Messrs. Butterfield, Christoph, Crawford, Dumont, Dunne, Green, Hartshorn, Hobson, Kasson, Miller, Miracle, Morrison, Noel, Pratt, Stone, and Teale—16.

So the bill passed and the title was agreed to.

Mr. Traer, from the Committee on Ways and Means submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means to whom was referred Senate File No. 107, A bill for an act to provide for the purchase of G. Green's Reports of the decisions of the Supreme Court of Iowa report the same back to the House, with the recommendation that it do pass with the following amendments, to wit:

Strike out of the 5th line of section 1 the words "three hundred and fifty," and insert in place thereof, the words "two hundred. Also strike out all of section 3 after the word reports in the 5th line.

TRAER, *Chairman.*

The report of the committee was adopted.

On motion of Mr. Traer Senate File No. 101, A bill for an act to provide for the purchase of G. Green's Reports of the Decisions of the Supreme Court of Iowa, was taken up.

Mr. Tufts moved to lay the bill on the table.

The motion did not prevail.

The bill was ordered engrossed.

On motion of Mr. Traer the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bigger, Brown of Fayette, Campbell, Cutts, Day, Durham, Elbert, Faville, Gibbons, Greene, Hartenbower, Hartshorn, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Murdock, Mills, O'Donnell, Parsons, Rogers, Rohlf, Rowell, Sanborn, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Swan, Toliver, Traer, Warner, Wasson, Wright of Allamakee, Wright of Sac and Mr. Speaker.—54.

The nays were—

Messrs. Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Dickerson, Dudley, Evans, Harrington, Harrison, Haycock, Hirschler, Hopkirk, Ketcham, Lommen, Mahin, Morrison, Norris, Rosser, Sater, Snow, Tait, Taylor, Teale, Tufts, Wood—32.

Absent or not voting were—

Messrs. Christoph, Crawford, DeGroat, Dumont, Dunne, Harper, Miracle, Newbold, Noel, Pratt, Russell, Spencer, Williams, and Wilson—14.

So the bill passed and title agreed to.

Senate File No. 184, A bill for an act making additional appropriations for the Iowa Soldiers' Orphans' Homes was read first and second time and ordered engrossed.

The motion was lost.

Mr. Dudley moved to refer to Charitable Institutions.

On motion of Mr Irish the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Beatty, Bell, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Christoph, Crawford, DeGroat, Dumont, Dunne, Gibbons, Green, Miracle, Morrison, Noel, Pratt, and Williams,—12.

So the bill passed and the title was agreed to.

House File No. 156, A bill for an act to improve the tax system of this State and to avoid errors in the assessment of taxes, was taken up and considered. The Senate substitute was adopted.

The bill was ordered engrossed.

On motion of Mr. Kasson the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:



The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Day, Dickerson, Dudley, Durham, Elbert, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Warner, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—78.

The nays were—

Messrs. Bonewitz, Butterfield, Carpenter, Taylor, Teale, Wasson—6.

Absent or not voting—

Messrs. Christoph, Crawford, Cutts, DeGroat, Dumont, Dunne, Evans, Miracle, Morrison, Noel, Pratt, Toliver, Traer, Tufts, Williams, and Wilson—16.

So the bill passed and the title was agreed to.

Senate File No. 225, A bill for an act to define the rights and duties of County Auditors in road cases, and to prescribe rules for a review or appeal from their orders and decisions therein, was read a first and second time and referred to the Committee on Roads and Highways.

Substitute for Senate File No. 202, a bill for an act to legalize the acts of the Board of Supervisors of Davis county, etc., was read first and second time and referred to the Committee on Judiciary.

Senate File No. 237, A bill for an act for the relief Jasper county for moneys stolen from county safe, was read first and second time and ordered engrossed.

On motion of Mr. Tait, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite,

Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—89.

The nays were—

Messrs. Morrison, and Rohlf—2.

Absent or not voting—

Messrs. Christoph, Crawford, Dumont, Dunne, Miracle, Noel, Pratt, Teale, and Williams—9.

So the bill passed and the title was agreed to.

Senate File No. 203, An act to amend section 1794, of the Revision of 1860.

Read first and second times and referred to the Committee on Judiciary.

Senate File No. 134, A bill for an act to regulate the compensation of District Attorneys.

Read a first and second time and referred to the Committee on Compensation of Public Officers.

Substitute for Senate File No. 150, A bill for an act in relation to the duties and compensation of County Superintendents.

Read a first and second time and referred to the Committee on Schools.

Senate File No. 226, A bill for an act to authorize counties to establish and maintain High Schools.

Read a first and second time and referred to the committee on Schools.

Senate File No. 245, A bill for an act changing the name of Osceola county.

Read a first and second time and referred to the Committee on County and Township Organization.

Senate File No. 222, A bill for an act to provide for the leasing of the convict labor in the Iowa Penitentiary.

Read a first and second time and referred to the Committee on Penitentiary.

House File No. 237, A bill for an act to legalize certain acts of the Board of Supervisors of Marshall county, Iowa, with Senate amendments, was taken up, and upon the adoption of the Senate amendments, the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf,

Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—85.

The nays were—

Messrs. Elbert and Morrison—2.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, DeGroat, Dumont, Dunne, Durham, Miles of Wayne, Miracle, Noel, Pratt, Traer and Williams—13.

So the bill passed and the title was agreed to.

Senate File No. 178, A bill for an act to amend section 2218 of the Revision of 1860.

Read a first and second time, and ordered engrossed and read a third time.

On motion of Mr. Millard, the rule was suspended, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays was as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Miles of Washington, Millard, Mills, Morrison, Murdock, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Wilson, Wright of Allamakee and Mr. Speaker—75.

The nays were—

Messrs. Harper, Lacey, Merritt, Miller, Russell, Snow, Stutsman, Warner, Wood and Wright of Sac—9.

Absent or not voting—

Messrs. Bundy, Christoph, Crawford, Dumont, Dunne, Elbert, Evans, Green, Kasson, Miles of Wayne, Miracle, Noel, Pratt, Satterthwaite, Wright of Sac and Williams—16.

So the bill passed and title was agreed to.

Mr. Irish moved that the House do now adjourn.

The motion did not prevail.

Mr. Wilson moved that when this House adjourn, it will be until this evening at seven and a half o'clock.

The motion was lost.

Joint resolution relative to the swamp land claims was taken up and referred to the Committee on Judiciary.

Memorial and joint resolution declaring Turkey river navigable was referred to the Committee on Federal Relations.

Joint resolution referring to the Des Moines river land grant was placed on file.

Mr. Gibbons moved that the House do now adjourn.

The motion did not prevail.

Leave was granted Mr. Wilson to call up House File No. 324, A bill for an act to amend section 840 of the Revision.

Bill was ordered to be engrossed and read a third time.

On motion of Mr. Wilson, the rule was suspended, and the bill was read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Miles of Washington, Millard, Miller, Mills, Morrison, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Wilson, Wood, and Mr. Speaker—82.

The nays were—

Messrs. Lacey, and Merritt—2.

Absent or not voting—

Messrs. Beatty, Bigger, Christoph, Crawford, Dumont, Dunne, Elbert, Miles of Wayne, Miracle, Murdock, Noel, Pratt, Toliver, Williams, Wright of Sac, and Wright of Allamakee—16.

So the bill passed and the title was agreed to.

Leave was granted Mr. Traer to offer the following resolution which was adopted.

*Resolved*, That the chairmen of standing committees shall constitute a sifting committee with instructions to select from bills on their second reading, such bills as they deem of the most importance and report them to the House in the order in which they shall be acted on by the House.

Mr. Gibbons moved that the House adjourn. The motion was lost.

Leave of absence was granted Mr. Hobson.

Leave was granted Mr. Parsons to introduce House File No. 262, A bill for an act in relation to commercial paper.

Read a first and second time and referred to Committee on Banks and Banking.

On motion of Mr. Applegate the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
April 9, 1870. }

House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. J. V. Schofield.

On motion of Mr. Lacey the reading of the journal of yesterday was dispensed with.

Mr. Carver had leave to call up House File No. 316, A bill for an act to legalize the tax levy and election of the Independent district of Kirkville, Wapello county, Iowa.

Mr. Carver moved to amend as follow: by adding to section one, "all taxes for school-house purposes."

The amendment was adopted.

Mr. Carver moved that the rule be suspended and the bill read a third time now. The motion prevailed and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dunne, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Beatty, Bundy, Christoph, Day, Dumont, Gibbons, Green, Hirschler, Hobson, Kasson, Satterthwaite, and Williams—12.

So the bill passed and the title was agreed to.

#### PETITIONS.

Mr. Miller presented a petition from citizens of sub-district No. 2, of the district township of Taylor, Appanoose county, Iowa, asking that se  $\frac{1}{4}$  of e  $\frac{1}{4}$  of sw  $\frac{1}{4}$ , sec. 24, and s  $\frac{1}{4}$  of ne  $\frac{1}{4}$ , and se  $\frac{1}{4}$  of nw  $\frac{1}{4}$ , section 24, township 70, range 17.

Referred to Committee on Schools.

Mr. Butterfield presented a petition from E. Casey and 29 others, asking that the establishment of the independent school district of Lawler, in Chickasaw county, Iowa, be legalized.

Referred to the Committee on Schools.

Mr. Applegate from the Committee on Elections, submitted the following report :

MR. SPEAKER—Your Committee on Elections, to whom was referred a petition of John Barnett and 34 others, of Adams county, for an act repealing chapter 171, laws of the Twelfth General Assembly, in relation to registering voters of this State, report the same back to the House, with the recommendation that no action be taken in that direction at this time.

All of which is respectfully submitted.

• C. C. APPLGATE, *Chairman.*

Mr. Rohlf, from the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER—Your Committee on Internal Improvements, to whom was referred House File No. 307, A bill for an act to create a fund for dyking or leveling portions of certain rivers and streams within this State to prevent overflow and inundation and to reclaim certain lands, report the same back to the House, with the recommendation that it be amended as follows :

1. Insert after the word 1870 in the second line of section one, the words "or at any subsequent annual election thereafter," also, to strike out in line 487 in section 1, the word fifteen instead of *ten*, also, add after the word *erect* to the 4th line of section 2 the following : " Provided, that in townships where towns or cities are located having a population of three hundred, or more, a majority of the electors of such township outside of the corporate limits of such town or city shall vote for the same, which vote shall in no way interfere with the vote of any corporate city or town ;" and as so amended recommend that it pass.

M. J. ROHLFS, *Chairman.*

Mr. Dudley, from the Committee on Claims, submitted the following reports :

MR. SPEAKER—Your Committee on claims to whom was referred House File No. 225, have had the same under consideration, and instructed me to report the same back with the recommendation that it do pass.

C. DUDLEY, *Chairman.*

MR. SPEAKER—Your Committee on Claims to whom was referred the claim of F. B. Zdrubek, for translating the Governor's Message into the Bohemian language and printing the same, report the

same back, and recommend that he be allowed thirty dollars for the translation, and two hundred and thirty-five 47-100 for paper, printing, binding, boxing and drayage on the same, all of which is respectfully submitted.

C. DUDLEY, *Chairman*.

The report was concurred in.

MR. SPEAKER—Your Committee on Claims to whom was referred Senate File No. 141, report the same back with the recommendation that it be amended by striking out fifty dollars and inserting six hundred dollars, and so amended it do pass.

C. DUDLEY, *Chairman*.

MR. SPEAKER—Your Committee on Claims, to whom was referred the claim of P. Stibolt, for extra compensation for the translation of the Governor's Biennial Message in German, have had the same under consideration, and instruct me to report it back, with the recommendation that he be allowed the sum of twenty-five dollars additional compensation.

C. DUDLEY, *Chairman*.

The report was concurred in.

MR. SPEAKER—Your Committee on Claims, to whom was referred the claim of Webster and Brother, for an organ for the use of the Sabbath school at the Penitentiary have had the same under consideration, and instruct me to recommend that it be allowed.

C. DUDLEY, *Chairman*.

The report was concurred in.

Mr. Mahin from the Committee on Printing submitted the following report:

MR. SPEAKER—Your Committee on Printing, to whom was referred Substitute for Senate File No. 52, A bill for an act providing for the publication of the Report of the State Geologist, and for the distribution of the same, report the same back to the House with the recommendation that it do pass.

MAHIN, *Chairman*.

Mr. Brown from the Committee on Military affairs submitted the following report:

Your Special Committee to whom was referred Senate File No. 242, A bill for an act appropriating money to defray the expenses of a reunion of Iowa soldiers, report the same back to the House without amendment with the recommendation that it do pass.

AARON BROWN, *Chairman*.

Mr. Stutsman moved that Senate File No. 242, A bill for an act appropriating money to defray the expense of a reunion of Iowa Soldiers be taken up.

The motion prevailed.

Read a first and second time and ordered engrossed.

On motion of Mr. Stutsman, the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Dickerson, Dudley, Durham, Evans, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—81.

The nays were—

Messrs. Christoph, Dunne, Elbert and Harrison—4.

Absent or not voting—

Messrs. Beatty, Bell, Beresheim, Day, DeGroat, Dumont, Faville, Gibbons, Hirschler, Hobson, Kasson, Sater, Swan, Williams, and Wood—15.

So the bill passed, and the title was agreed to.

Mr. Traer from the Committee on Ways and Means submitted the following report:

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 388, A bill for an act fixing the compensation of certain officers, and employees of the Legislature of the State of Iowa, report the same back to the House, with the recommendation that it do pass.

TRAER, *Chairman.*

MR. SPEAKER—Your Committee on Ways and Means to whom was referred House File No. 366, A bill for an act prescribing the duties of Assessor's in certain cases, report the same back to the House, with the unanimous recommendation that it do not pass.

TRAER, *Chairman.*

Mr. Harper from the Committee on Schools submitted the following report:



MR. SPEAKER—Your Committee on Schools to whom was referred Senate File No. 226, A bill for an act to authorize counties to establish and maintain High Schools, report the same back to the House, with the recommendation that it do pass.

HARPER, *Chairman.*

MR. SPEAKER—Your Committee on Schools to whom was referred Senate File No. 150, A bill for an act in relation to the duties and compensation of County Superintendents, report the same back to the House, with the recommendation that it ——— .

HARPER, *Chairman.*

Mr. Miles of Washington from the Committee on Insane Asylum, submitted the following report :

MR. SPEAKER—Your Committee on Insane Asylum to whom was referred Senate File No. 193, A bill for an act for the government of Hospital for the Insane, defining the legal relations of insane persons and providing for their care and protection, report the same back to the House with the recommendation that it do pass.

J. D. MILES, *Chairman.*

Mr. Hunter from the Committee of Compensation of Public Officers submitted the following report :

MR. SPEAKER—Your Committee on Compensation of Public Officers to whom was referred the petition of J. N. Thomas, Recorder of Polk county, report the accompanying bill with the recommendation that it do pass.

JOHN. D. HUNTER, *Chairman.*

Mr. Pratt asked leave to record his vote on the Capitol Bill and his name being called he voted "no."

Mr. Miracle from the Committee on Incorporations presented the following reports :

MR. SPEAKER—Your Committee on Incorporations to whom was referred Senate File No. 113, A bill for an act creating an Insurance Department, have had the same under consideration and a majority of said committee have instructed me to report the same back to the House with the recommendation that it do pass.

J. D. MIRACLE, *Chairman.*

Your Committee on Incorporations to whom was referred House File No. 297, A bill for an act to amend chapter 138 of the acts of the 12th General Assembly, relating to insurance companies, have had the same under consideration and a majority of said committee

have instructed me to report the same back to the House with the recommendation that it do pass with the following amendments :

Insert as an additional section, to be numbered 2, the words " No insurance company organized under the laws of this State shall loan any of the funds of the company to its stockholders." And that section 2 of the bill be numbered section 3.

J. D. MIRACLE, *Chairman.*

Mr. Stone presented a Joint Resolution appointing a member of the Board of Trustees of the Iowa Soldiers' Orphans' Home.

Referred to the Committee on Orphans' Home.

Mr. Mills moved that Senate File No. 193, A bill for an act for the government of Hospitals for the Insane, defining the legal relations of insane persons and providing for their care and protection, be taken up.

The motion prevailed.

Mr. Lee moved to strike out the name of J. M. Boggs and insert the name of J. G. House.

The motion did not prevail.

Mr. Dudley moved to strike out the words respectable where the same occurs before the words lawyer and physician.

The motion did not prevail.

Mr. Elbert moved to amend section 54 by striking out the last clause of said section and inserting the following :

Idiots may be admitted or retained in said Insane Asylums upon the same terms and in the same manner as insane persons, but in no event shall they be admitted to the exclusion of insane persons.

The motion did not prevail.

The bill was ordered to be engrossed.

On motion of Mr. Miles of Washington the rule was suspended and the bill read a third time.

Upon the question, " shall the bill pass ? " the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bereshiem, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Crawford, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—81.

The nays were—

Messrs. Cutts, Dunne, Haycock, Morrison, Noel—5.

Absent or not voting—

Messrs. Bell, Butterfield, Christoph, DeGroat, Dumont, Gibbons, Hirschler, Hobson, Kasson, Marks, Norris, Parsons, Swan, and Williams—14.

So the bill passed and the title was agreed to.

Mr. Taylor moved that the special order, Senate File No. 113, be now taken up.

The motion did not prevail.

Mr. Huff moved that House File No. 238 be taken up.

The motion did not prevail.

Mr. Butler moved to take up the Senate resolution in relation to the "Bulletin Supplements."

The motion prevailed.

Mr. Russell moved to amend, that they be bound in the same manner that Journals are bound.

Mr. Sater moved to indefinitely postpone the resolution.

Mr. Stutsman moved to refer to the Committee on printing.

The motion prevailed.

Mr. Warner moved to reconsider the vote by which House File No. 296, A bill for an act for the Government of the State University, was lost.

Mr. Butler moved to lay the motion to reconsider on the table.

On this motion Messrs. Traer and Wasson demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Brown of Van Buren, Butler, Campbell, Crawford, Day, DeGroat, Dickerson, Elbert, Faville, Gibbons, Green, Hirschler, Hood, Hopkins, Huff, Hunter, Jones, Marks, McCoun, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Noel, O'Donnell, Pratt, Rogers, Rohlf, Rowell, Russell, Satterthwaite, Stutsman, Toliver, Wright of Allamakee, and Mr Speaker—37.

The nays were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bigger, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carpenter, Carver, Cutts, Dudley, Durham, Evans, Harper, Harrington, Harrison, Hartshorn, Haycock, Hopkirk, Keables, Ketcham, Lacey, Lee, Mahin, McGavren, Miller, Morrison, Murdock, Newbold, Norris, Parsons, Rosser, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Tait, Taylor, Traer, Tufts, Warner, Wasson, Wilson, and Wright of Sac—48.

Absent or not voting—

Messrs. Beatty, Bell, Christoph, Dumont, Dunne, Hartenbower, Hobson, Irish, Kasson, Lommen, Stone, Swan, Teale, Williams, and Wood—15.

So the motion to lay the motion to reconsider on the table did not prevail.

The motion to reconsider prevailed.

Mr. Applegate moved a call of the House.

The call was not seconded.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carpenter, Carver, Cutts, Dudley, Durham, Evans, Harper, Harrington, Hartshorn, Haycock, Hopkirk, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, McGavren, Miller, Morrison, Murdock, Newbold, Norris, Parsons, Rosser, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stutsman, Tait, Taylor, Traer, Tufts, Warner, Wasson, Wilson and Wood—51.

The nays were none.

Messrs. Brown of Van Buren, Butler, Campbell, Crawford, Day, DeGroat, Dickerson, Elbert, Faville, Gibbons, Green, Hood, Hopkins, Huff, Hunter, Jones, Marks, McCoun, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Noel, O'Donnell, Pratt, Rohlf, Rowell, Toliver, Wright of Allamakee, Wright of Sac, and Mr. Speaker—33.

Absent or not voting—

Messrs. Bell, Christoph, Dumont, Dunne, Harrison, Hartenbower, Hirschler, Hobson, Irish, Kasson, Rogers, Satterthwaite, Stone, Swan, Teale and Williams—16.

So the bill passed and the title was agreed to.

Mr. Bundy by leave introduced House File No. 364, A bill for an act to legalize the incorporation of the town of Prairie City, Jasper county.

Read a first and second time and ordered to be engrossed.

On motion of Mr. Bundy the rule was suspended, and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stutsman, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—86.

The nays were—

Mr. Spencer—1.

✓ Absent or not voting—

Messrs. Bell, Christoph, Dumont, Dunne, Harrington, Harrison, Hirschler, Kasson, Stanchfield, Stone, Swan, Teale and Williams—13.

So the bill passed and the title was agreed to.

Mr. Russell by leave introduced House File No. 365, A bill for an act to amend chapter 55, of the Revision of 1860,

Read first and second time and ordered engrossed.

On motion of Mr. Dudley, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkirk, Hunter, Jones, Keables, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Rogers, Rohlfis, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Tait, Taylor, Toliver, Traer, Tufts, Wasson, Wilson, Wood, Wright of Allamakee and Mr. Speaker.—77.

The nays were none.

Absent or not voting—

Messrs. Bell, Brown of Fayette, Christoph, Crawford, Dumont, Dunne, Elbert, Hirschler, Hobson, Hopkins, Huff, Irish, Kasson, Ketcham, Mahin, Merritt, Pratt, Stone, Swan, Teale, Warner, Williams and Wright of Sac—23.

So the bill passed and the title was agreed to.

Mr. Huff moved to take up House File No. 268, A bill for an act to repeal section 15, chapter 86, acts of Twelfth General Assembly, &c., and present a substitute therefor.

The motion prevailed.

Mr. Huff moved that the substitute be adopted.

The motion prevailed.

Read a first and second time and ordered engrossed.

Mr. Huff moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Day, Dickerson, Dndley, Elbert, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—72.

The nays were—

Messrs. Bonewitz, Durham, Lemmon, Morrison, Russell and Spencer—6.

Absent or not voting—

Messrs. Bell, Campbell, Christoph, Crawford, DeGroat, Dumont, Dunne, Evans, Harrison, Hartshorn, Hobson, Irish, Ketcham, Mahin, Miller, Parsons, Stewart, Stone, Swan, Traer, Williams, and Wilson,—22.

So the bill passed and the title was agreed to.

Mr. Toliver moved to take up Senate File No. 117.

The motion did not prevail.

Mr. Bundy moved that when the House adjourns it be until Monday morning, at 9 o'clock.

Mr. Irish offered the following resolution:

*Resolved*, That all bills for legalizing acts of officers, incorporations and of a local nature be made the special order for Monday, April 11, at 2 o'clock, P. M.

Mr. Millard moved to amend by striking out Monday, and inserting this afternoon at two o'clock, P. M.

The motion prevailed.

Mr. Rohlf introduced the following resolution which was adopted:

*Resolved, by the House of Representatives the Senate concurring:* That the Secretary of State be, and is hereby authorized to furnish the Board of Immigration, with the necessary stationery and postage stamps for use in the discharge of their official duties.

Mr. Lacey moved to take up Senate File No. 90, A bill for an act to amend chapters 52 and 53, of the Revision of 1860.

The motion prevailed.

Mr. Lacey moved the following amendment to section 8, which was adopted:

*Provided*, That a failure of any corporation, organized prior to the taking effect of this act, for benevolent, charitable, scientific, religious, or missionary purposes, or any other lawful purpose unconnected with motives of pecuniary profit, to file a copy of their articles or certificate of incorporation with the Secretary of State, shall

not in any manner effect the legality of the acts of any such corporation, but all the acts of the officers of any such corporation shall be considered as legal and binding as they would have been had their articles or certificate of incorporation been filed in the office of the Secretary of State at the time of organization.

*And provided further,* That all articles of incorporation of charitable and religious institutions, dating prior to this date, and not recorded in the office of the Secretary of State, shall be recorded in the office of the Recorder of the county in which such institutions are situated.

Mr. Lacey moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time.

On question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Tait, Teale, Toliver, Tufts, Warner, Wilson, Wood; Wright of Sac, and Mr. Speaker—77.

The yeas were none.

Absent or not voting—

—Messrs. Bell, Christoph, Crawford, DeGroat, Dumont, Dunne, Harrison, Hobson, Irish, Ketcham, Mahin, McCoun, Morrison, Rowell, Stewart, Stone, Swan, Taylor, Traer, Wasson, Williams, and Wright of Allamakee—22.

So the bill passed and the title was agreed to.

Mr. Elbert moved to call up House File No. 300, A bill for an act to amend sections 3224 and 3225, of the Revision of 1860.

The motion prevailed.

On motion of Mr. Elbert, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Haycock, Hood, Hopkins, Hopkirk, Huff, Jones,

Kasson, Keables, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Tait, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, and Mr. Speaker—72.

The nays were none.

Absent or not voting—

Messrs. Ball, Bell, Bundy, Christoph, Crawford, DeGroat, Dumont, Dunne, Gibbons, Green, Hartshorn, Hirschler, Hobson, Hunter, Irish, Ketcham, Mahin, McCoun, Miracle, Rowell, Stewart, Stone, Swan, Taylor, Traer, Williams, Wright of Allamakee, and Wright of Sac—28.

So the bill passed and the title was agreed to.

Mr. Millard moved that the House adjourn.

The motion prevailed.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Speaker in the chair.

Leave was granted Mr. Dudley to withdraw the claim of W. V. Bray from before the Committee on Claims.

Mr. Harper introduced House File No. 366, A bill for an act to amend an act entitled an act to authorize the improvement of streets and alleys, approved April 8th, 1870, being chapter 65.

Read a first and second time and ordered engrossed.

On motion of Mr. Harper, the rule was suspended and the bill read a third time now.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Carpenter, Carver, Crawford, Cutis, Day, Dickerson, Dudley, Durham, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Haycock, Hood, Hopkirk, Huff, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Morrison, Newbold, Noel, Norris, O'Donnell, Pratt, Rogers, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Taylor, Tufts, Wasson, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—66.

The nays were none.



Absent or not voting—

Messrs. Bell, Beresheim, Bigger, Bundy, Butterfield, Christoph, DeGroat, Dumont, Dunne, Elbert, Evans, Gibbons, Hartshorn, Hirschler, Hobson, Hopkins, Hunter, Irish, Kasson, Mahin, Merritt, Miller, Murdock, Parsons, Rohlf, Russell, Swan, Tait, Teale, Toliver, Traer, Warner, Williams, and Wright of Sac—34.

So the bill passed and title was agreed to.

House File No. 104 was taken up and considered, and on motion of Mr. Rogers was indefinitely postponed.

House File No. 146 was taken up and considered.

The question being on the engrossment of the bill, the motion did not prevail.

Senate File No. 126, A bill for an act authorizing the conveying of certain lots in Iowa City by the Register of the State Land Office, was taken up and considered, and ordered engrossed.

On motion of Mr. Marks, the rule was suspended and the bill was read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Crawford, Dickerson, Dudley, Durham, Evans, Faville, Green, Harper, Harrington, Hartenbower, Haycock, Hood, Hopkins, Hopkirk, Huff, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McCoun, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Murdock, Newbold, Noel, Norris, Pratt, Rogers, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Wason, Wilson, Wood and Mr. Speaker—65.

The nays were—

Messrs. Dunne, Mills, Morrison and O'Donnell—4.

Absent or not voting—

Messrs. Bell, Bigger, Bundy, Carpenter, Christoph, Cutts, Day, DeGroat, Dumont, Dunne, Elbert, Gibbons, Harrison, Hartshorn, Hirschler, Hobson, Hunter, Irish, Kasson, Mahin, Miracle, Parsons, Rohlf, Russell, Stanchfield, Stewart, Swan, Traer, Warner, Williams, Wright of Allamakee, and Wright of Sac—31.

So the bill passed and title was agreed to.

House File No. 249, was taken up and considered, and on motion of Mr. Rowell the bill was indefinitely postponed.

House File No. 221, A bill for an act detaching Grundy county, from the Ninth Judicial District, and attaching the same to the Eleventh District, was taken up and considered.

Mr. Huff moved to amend as follows, fill the blank in section 2, as follows:

"On Monday, May 23, on Monday, August, 22, and Monday,

December 12," and strike out *Iowa Falls Sentinel*, and *Grundy County Atlas*, and insert *Iowa State Register* and *Daily Bulletin*.

The amendments were adopted.

Mr. Wasson moved that the bill be indefinitely postponed.

The motion did not prevail.

The bill was ordered to be engrossed.

On motion of Mr. Huff the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Carver, Cutts, Day, Dudley, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Marks, McGavren, Merritt, Miles of Washington, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rosser, Rowell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Tufts, Wood, and Wright of Sac—60.

The nays were—

Messrs. Butterfield, Carpenter, Crawford, Dickerson, Durham, Evans, Miles of Wayne, Millard, Sanborn, Stewart, Wasson, Wilson, Wright of Allamakee and Mr. Speaker—14.

Absent or not voting—

Messrs. Bell, Bigger, Bundy, Christoph, DeGroat, Dumont, Dunne, Elbert, Harrington, Hobson, Hood, Hopkins, Huff, Kasson, Lee, Lommen, Mahin, McCoun, Miller, Rohlf, Russell, Swan, Toliver, Traer, Warner, and Williams—26.

So the bill passed and title was agreed to.

House File No. 228, was taken up and considered, and on motion of Mr. Rogers was indefinitely postponed.

House File No. 276 was taken up and considered and on motion of Mr. Rowell was indefinitely postponed.

Substitute for House File No. 298, A bill for an act to legalize the issue of bonds by the Independent School District of Bloomfield. Davis county, was taken up and ordered engrossed.

On motion of Mr. Stutsman the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Christoph, Crawford, Cutts, Day, Dickerson, Durham, Evans, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hopkins, Huff, Irish, Jones,

Keables, Ketcham, Lee, Marks, McCoun, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Wasson, Wilson, Wood, and Mr. Speaker.—69.

The nays were—

Messrs. Beatty, Haycock, Hopkirk, Lacey, Lommen, Miles of Washington, Morrison, Rogers, Spencer, and Wright of Sac—11.

Absent or not voting—

Messrs. Bell, Bigger, Butterfield, DeGroat, Dumont, Dunne, Elbert, Harrington, Hobson, Hunter, Kasson, Mahin, Parsons, Russell, Stanchfield, Swan, Traer, Warner, Williams, and Wright of Allamakee—20.

So the bill passed and the title was agreed to.

House File No. 328, A bill for an act creating an Independent School District in a certain place in Mills county, Iowa, was taken up and considered, and on motion of Mr. Rogers was indefinitely postponed.

Senate File No. 128, A bill for an act for the relief of the widow of Col. J. B. Dorr, etc.

Mr. Rogers moved to indefinitely postpone the bill.

Mr. Brown of Fayette moved to postpone until Tuesday morning at 10 o'clock.

The motion prevailed.

Mr. Harper, by leave, introduced House File No. 368, A bill for an act to legalize the sale of certain school lands in Story county.

Read a first and second time and ordered engrossed.

On motion of Mr. Harper the rule was suspended and the bill read a third time.

Upon the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Carver, Christoph, Cutts, Day, Dickerson, Dudley, Durham, Faville, Gibbons, Green, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Norris, O'Donnell, Pratt, Rogers, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac, and Mr. Speaker—72.

The nays were none.

Absent or not voting—

Messrs. Arnold, Beatty, Bigger, Bundy, Butterfield, Carpenter,

Crawford, DeGroat, Dumont, Dunne, Elbert, Evans, Harrington, Hobson, Huff, Hunter, Kasson, Mahin, McCoun, Noel, Parsons, Rholfs, Russell, Spencer, Swan, Traer, Williams, Wright of Allamakee,—28.

So the bill passed and the title was agreed to.

House File No. 225, A bill for an act making appropriation for the relief of George Wilson, was taken up and considered, and ordered engrossed.

On motion of Mr. Millard, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Bigger, Bonewitz, Brown of Fayette, Bundy, Butler, Campbell, Carpenter, Carver, Day, Dickerson, Dudley, Gibbons, Harper Harrington, Hartenbower, Hood, Hopkins, Huff, Irish, Jones, Keables, Lacey, Lommen, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Murdock, Newbold, O'Donnell, Pratt, Rogers, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Tait, Taylor, Toliver, Tuft, Wasson, Wilson, Wright of Sac, and Mr. Speaker.—54.

The nays were—

Messrs. Ball, Beatty, Brown of Van Buren, Cutts, Elbert, Evans, Green, Harrison, Haycock, Hopkirk, Lee, Miles of Wayne, Morrison, Norris, Rosser, Sanborn,—16.

Absent or not voting—

Messrs. Bell, Butterfield, Christoph, Crawford, DeGroat, Dumont, Dunne, Durham, Faville, Hartshorn, Hirschler, Hobson, Hunter, Kasson, Ketcham, Mahin, McCoun, Noel, Parsons, Rholfs, Rowell, Russell, Satterthwaite, Swan, Teale, Traer, Warner, Williams, Wood, and Wright of Allamakee,—30.

So the bill passed and the title was agreed to.

House File No. 350, A bill for an act to grant enlarged powers to cities acting under special charters, was taken up and considered and ordered to be engrossed.

On motion of Mr. O'Donnell, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Arnold, Ball, Beatty, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Cutts, Day, Dickerson, Elbert, Faville, Gibbons, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins Huff, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Wayne, Millard, Miller, Mills, Morrison, Murdock, Newbold, Norris, O'Donnell, Rogers, Rosser, Rowell, Sanborn, Satterthwaite, Snow,

Stanchfield Stewart, Stone, Stutsman, Tait, Teale, Toliver, Tufts, Wilson, Wood, Wright of Sac, and Mr. Speaker—60.

The nays were—

Messrs. Applegate, Beresheim, Bonewitz, Dudley, Harper, Sater, Spencer, Taylor, Wasson,—10.

Absent or not voting—

Messrs. Bell, Butterfield, Carver, Christoph, Crawford, DeGroat, Dumont, Dunne, Durham, Evans, Hirschler, Hobson, Hopkirk, Hunter, Kasson, Mahin, McCoun, Merritt, Miles of Washington, Miracle, Noel, Parsons, Pratt, Rohlf, Russell, Swan, Traer, Warner, Williams and Wright of Allamakee—30.

So the bill passed and the title was agreed to.

Mr. Beatty from the Committee on Representative Districts introduced House File No. 367, A bill for an act apportioning the State into Representative districts.

Read a first and second time and placed on file.

On motion of Mr. Dudley, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 11, 1870. }

The House met pursuant to adjournment.

Speaker in the chair.

Prayer by Rev. S. T. Wells.

On motion of Mr. Rosser, the reading of the Journal of Saturday was dispensed with.

Mr. Rowell, from the Sifting Committee, submitted the following report:

MR. SPEAKER—The Sifting Committee, consisting of the Chairmen of the standing committees of the House, have had the numerous bills now on the files under consideration, and we have divided the same into three classes, and arranged the first class in the order of preferment; and your Committee recommend that said bills in first class be disposed of in the order of their arrangement, and that all of the first class be disposed of before taking up the second class, and all of the second class before taking up third class. Of the first class, we have 27 bills; of the second class, 13; and of the third, 94 bills. These do not include the bills now in the hands of the standing committees unreported.

The Committee recommend that the bills now in the hands of the Judiciary Committee, reported by the Commission of Legal Inquiry, and passed by the Senate, be placed in the first class, as soon as

reported to the House. As to the third class, Committee make no recommendation.

We have taken a list of each class of bills, and filed the same with each class.

N. W. ROWELL, *Chairman.*

On motion of Mr. Kasson, the report was laid on the table.

Mr. Hunter, from the Committee on Compensation of Public Officers, submitted the following report :

MR. SPEAKER—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 134, A bill for an act to regulate the compensation of District Attorneys, report the same back to the House, with the recommendation that it do pass.

HUNTER, *Chairman.*

Mr. Marks, from the Committee on Public Lands, submitted the following report :

MR. SPEAKER—Your Committee on Public Lands, to whom was referred joint resolution in relation to the Des Moines River Land Grants, report the same back to the House, with the recommendation that it do pass.

C. R. MARKS, *Chairman.*

Mr. Brown of Fayette from the Committee on Military Affairs, submitted the following report :

MR. SPEAKER—Your Committee on Military Affairs to whom was referred Senate File No. 219, A bill for an act to reimburse Robert L. Freeman, of Elkader, Iowa, late Captain Co. "K" First Iowa Cavalry, for subsistence furnished said company during its organization in the spring and summer of 1861, report the same back to the House, with the recommendation that it do pass.

AARON BROWN, *Chairman.*

Mr. Jones from the Committee on Printing submitted the following report :

MR. SPEAKER—Your committee on Printing to whom was referred concurrent resolution of the Senate, relative to bound volumes of Phonographic Report of Legislative Proceedings, report the same back to the House, with the recommendation that it be amended as follows :

Strike out all after the word "provided," and insert as follows :

"That they be bound in like manner that the Journals are bound, and that the cost of the same will not be more than will be the cost of the same number of Journals containing Senate and House proceedings, and that they be paid for in like manner that the print-

ing, binding, and distribution of Journals is paid," and so amended that it do pass. Mr. Elbert, of Committee dissenting.

GEO. W. JONES, *Chairman*.

The report of the Committee was adopted.

On the question of the adoption of the resolution as amended, the motion did not prevail.

The yeas were—

Messrs. Applegate, Arnold, Bigger, Bonewitz, Brown of Van Buren, Butler, Butterfield, Crawford, Day, DeGroat, Durham, Faville, Gibbons, Green, Harper, Hartshorn, Hirschler, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Lommen, Merritt, Miles of Washington, Mills, Miracle, Murdock, Noel, Norris, O'Donnell, Rogers, Rohlf, Rowell, Russell, Stewart, Stone, Traer, Wilson, Wright of Allamakee and Mr. Speaker—45.

The nays were—

Messrs. Ball, Beatty, Bell, Beresheim, Brown of Fayette, Bundy, Carpenter, Carver, Cutts, Dickerson, Dudley, Dumont, Evans, Elbert, Harrison, Hartenbower, Haycock, Hobson, Hopkins, Hopkirk, Keables, Lacey, Marks, McGavren, Miles of Wayne, Millard, Miller, Morrison, Newbold, Pratt, Rosser, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Taylor, Toliver, Tufts, Warner, Wasson and Wright of Sac—45.

Absent or not voting—

Messrs. Campbell, Christoph, Dunne, Harrington, Mahin, McConn, Parsons, Teale, Williams and Wood—10.

So the motion was lost as aforesaid.

Mr. Kasson from the Committee on Federal Relations submitted a resolution and report in reference to a mail route from Anita, Cass county, to Carrollton, and recommended its adoption.

The resolution was adopted.

Mr. Kasson from the Committee on Federal Relations submitted the following reports:

MR. SPEAKER—Your Committee on Federal Relations to whom was referred Senate concurrent resolution instructing the Committee of Ways and Means to insert \$2,000 in the bill to aid the effort in behalf of the Fox and Wisconsin river improvement, also memorial to Congress in favor of same, report the same back to the House, with the recommendation that the memorial do pass, with an amendment, striking out all after the word "upon" in the 16th line of the 2d page to the end of that page, and inserting in lieu thereof the following: "Such conditions as to secure the regulation and control of the entire route, from the Mississippi to the lake, to Congress, without the intervention of any private corporation or company, to the end that the tolls may be reduced to the lowest charges which shall be sufficient to maintain the improvement in perfect con-

dition for public use ;" and further report back the concurrent resolution without recommendation.

JOHN A. KASSON, *Chairman*.

Mr. Sater moved the previous question, which was seconded, and the main question ordered.

The question being on the adoption of the amendment, the motion prevailed.

The question recurring on the adoption of the resolution as amended, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Brown of Fayette, Butler, Butterfield, Campbell, Carpenter, Crawford, Day, DeGroat, Dickerson, Faville, Gibbons, Green, Harrington, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lacey, Lommen, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Pratt, Rogers, Rohlfis, Russell, Sanborn, Satterthwaite, Spencer, Stanchfield, Stewart, Stone, Swan, Tait, Taylor, Toliver, Tufts, Warner, Wood, Wright of Allamakee, and Mr. Speaker—64.

The nays were—

Messrs. Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Durham, Evans, Haycock, Keables, Hopkirk, Miles of Wayne, Norris, Rosser, Rowell, Sater, Snow, Stutsman, Teale, Wasson, Wilson, Wright of Sac—22.

Absent or not voting—

Messrs. Carver, Christoph, Cutts, Dumont, Dunne, Elbert, Harper, Lee, Mahin, McCoun, O'Donnell, Parsons, Traer, and Williams,—14.

So the resolution was concurred in.

The concurrent resolution in relation to the instruction of the Ways and Means Committee, to insert in the special appropriation bill the sum of \$2,000 to aid in the passage of a bill through Congress for the improvement of the Fox and Wisconsin rivers, said amount to be placed at the disposal of the Census Board.

Mr. Sanborn moved the adoption of the resolution.

Mr. Dudley moved to lay the resolution upon the table, upon which motion the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Carver, Dudley, Durham, Elbert, Evans, Harrison, Hopkins, Hopkirk, Huff, Kasson, Keables, Lacey, McGavren, Merritt, Miles of Washington, Miles of Wayne, Morrison, Newbold, Noel, Norris, Rosser, Rowell, Russell, Sater, Satterthwaite, Snow, Spencer, Stewart, Stutsman, Swan, Tait, Teale, Traer, Tufts, Warner, Wasson, Wilson, Wood, and Wright of Sac—49.



The nays were—

Messrs. Arnold, Brown of Fayette, Butterfield, Campbell, Carpenter, Christoph, Crawford, Day, DeGroat, Dickerson, Faville, Gibbons, Harrington, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Hunter, Irish, Jones, Lee, Lommen, Mills, Miracle, Murdock, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Sanborn, Stanchfield, Stone, Taylor, Toliver, Wright of Allamakee and Mr. Speaker—41.

Absent or not voting—

Messrs. Cutts, Dumont, Dunne, Green, Harper, Haycock, Mahin, Marks, McCoun, and Williams,—10.

So the motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

Senate File No. 143, A bill for an act for the relief of Louisa county, Iowa, for money stolen from the safe on the night of the 18th of February, 1868.

Senate File No. 247, A bill for an act to amend chapter 81 of the laws of the 10th General Assembly.

I also return House File No. 150, A bill for an act for the relief of Marion county, for money stolen from the county safe, which has passed the Senate without amendment.

C. V. GARDNER,

*Asst. Secretary.*

So the resolution was laid on the table.

Mr. Traer moved to reconsider the vote by which the motion was lost.

Mr. Dudley moved to lay the motion to reconsider on the table. The motion prevailed.

Mr. Pratt moved to reconsider the vote by which the resolution to order a certain number of Bulletins was lost.

Mr. Safer moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider prevailed.

On the question of the adoption of the resolution the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bell, Bigger, Bonewitz, Brown of Fayette, Butler, Butterfield, Crawford, Day, DeGroat, Durham, Faville, Gibbons, Greene, Harper, Hirschler, Hood, Hopkins, Huff, Irish, Jones, Kasson, Ketcham, Lee, Lommen, Merritt, Miles of

Washington, Mills, Murdock, Noel, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Spencer, Stewart, Stone, Swan, Traer, Wilson, Wright of Allamakee, and Mr. Speaker. — 46.

The nays were—

Messrs. Ball, Beatty, Beresheim, Brown of Van Buren, Campbell, Carpenter, Carver, Cutts, Dickerson, Dudley, Elbert, Evans, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkirk, Keables, Lacey, Marks, McGavren, Miles of Wayne, Millard, Miller, Miracle, Morrison, Newbold, Norris, Rosser, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Tait, Taylor, Toliver, Tufts, Warner, Wasson, Wood, and Wright of Sac—45.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Hunter, Mahin, McCoun, Stutsman, Teale, and Williams—9.

So the resolution was adopted.

Mr. Kasson from the Committee on Federal Relations submitted the following report.

MR. SPEAKER—Your Committee on Federal Relations, to whom was referred Memorial to Congress and Joint Resolution relating to Turkey River report the same back to the House with the recommendation that it lie on the table, inasmuch as that river has never been a navigable river, and is within the exclusive jurisdiction of the State of Iowa.

JOHN A. KASSON, *Chairman*.

The report of the committee was adopted.

Mr. Rowell moved that the resolution lie upon the table.

The motion prevailed.

Mr. Teale from the Committee on Horticulture presented the following reports.

MR. SPEAKER—Your Committee on Horticulture to whom was referred the memorial of the State Horticultural Society, report the same back to the House with the recommendation that there be appropriated to the use of the State Horticultural society the sum of two thousand dollars for the ensuing two years, and that the Committee of Ways and Means be instructed to provide for the same in the general appropriation bill.

F. TEALE, *Chairman*.

MR. SPEAKER—Your Committee on Horticulture to whom was referred Senate File No. 89, A bill for an act to amend section 1 of chapter 92, of the acts of the 12th General Assembly report the same back to the House with the recommendation that it do not pass.

F. TEALE, *Chairman*.

The report of the Committee was adopted.

Mr. Mills moved that Senate File No. 128 be recommitted to the Committee on Military Affairs.

The motion prevailed.

Mr. Dudley introduced the following resolution, which was adopted :

*Resolved by the House the Senate concurring,* That the General Assembly meet in joint convention on Wednesday the 13th, at 10 o'clock A. M., for the purpose of electing all officers that are yet to be elected by this General Assembly.

Mr. Irish introduced House File No. 369, A bill for an act supplemental to an act entitled an act for the government of Hospitals for the Insane, defining the legal relations of insane persons and providing for their care and protection.

The bill was read a first and second time.

Mr. Irish moved to amend the first section of the bill as follows : "That the amount of the salaries of the Superintendent and officers of the Insane Asylum at Mt. Pleasant be determined by the Board of Trustees of that institution."

The amendment was adopted and the bill ordered engrossed.

On motion of Mr. Miles of Washington, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Bigger, Brown of Van Buren, Bundy, Butler, Butterfield, Crawford, Cutts, Day, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Green, Harper, Hartenbower, Hirschler, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Marks, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Murdock, Newbold, Parsons, Rohlf, Rowell, Russell, Sater, Satterthwaite, Snow, Stone, Stanchfield, Swan, Tait, Toliver, Tufts, Wright of Allamakee, and Mr. Speaker—57.

The nays were—

Messrs. Beatty, Bonewitz, Carpenter, DeGroat, Harrington, Harrison, Hartshorn, Haycock, Lommen, Noel, Norris, Rosser, Sanborn, Spencer, Teale, Traer, Warner, Wasson, Wilson and Wood—20.

Absent or not voting—

Messrs. Beresheim, Brown of Fayette, Campbell, Carver, Christoph, Dumont, Dunne, Elbert, Hobson, Hopkirk, Mahin, McCoun, McGavren, Miracle, Morrison, Pratt, O'Donnell, Rogers, Stewart, Stutsman, Taylor, Williams and Wright of Sac—23.

So the bill passed and the title was agreed to.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 100, A bill for an act to provide for the compilation and publication of the road laws, and the distribution of the same.

House File No. 237, A bill for an act to legalize certain acts of the Board of Supervisors of Marshall county.

House File No. 859, A bill for an act in relation to occupying claimants.

House File No. 851, A bill for an act to provide for the erection of school districts from territory lying in adjoining counties.

House File No. 181, A bill for an act to constitute Township Trustees a Board of Equalization for their respective townships.

House Files Nos. 8 and 117, A bill for an act for the taxation of railroad property.

Joint resolution, A proposition to amend the Constitution of the State of the State of Iowa.

Senate File No. 72, A bill for an act to provide a State Capitol.

G. S. TOLIVER, *Chairman.*

Mr. Stanchfield, from the Committee on State University, submitted the following report:

MR. SPEAKER—Your Committee on State University, to whom was referred Senate File No. 236, A bill for an act to authorize the Governor to patent certain University lands, situated in Lucas county. report the same back to the House, with the recommendation that it do pass.

O. O. STANCHFIELD, *Chairman.*

On motion of Mr. Hunter, leave was granted Mr. Parsons to introduce House File No. 370, A bill for an act for the suppression of bribery and corruption.

Read a first and second time, and referred to the Committee on Judiciary.

Mr. Parsons moved that the Judiciary Committee be instructed to report the bill back to the House to-morrow morning.

The motion prevailed.

Mr. Murdock offered the following resolution, which was unanimously adopted:

*Resolved*, That the thanks of this House are due to Hon. A. R. Cotton, for the able, efficient, and impartial manner in which he has presided over its deliberations.

#### BILLS ON SECOND READING.

Senate File No. 162, A bill for an act defining the duties and establishing the salary of the Governor, and other State officers, and Judges of the several Courts of the State, was taken up and read a first and second time.

Mr. Teale moved that the bill be indefinitely postponed.

The motion did not prevail.

Mr. Millard moved to strike out from the first section "\$3,600," and insert "\$3,000."

The amendment was adopted.

Mr. Lacey moved to amend as follows:

*Provided*, No allowance shall be made for house rent or personal expenses for the Governor or his family.

Mr. Taylor moved to strike out "\$400," in section 2, the fifth line.

On this motion Messrs. Teale and Stanchfield demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Ball, Bell, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butler, Carver, DeGroat, Dudley, Durham, Green, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hopkins, Keables, Lommen, Miles of Wayne, Millard, Morrison, Noel, Norris, Pratt, Rogers, Rosser, Sater, Spencer, Taylor, Teale, and Wood—33.

The nays were—

Messrs. Applegate, Arnold, Beresheim, Brown of Fayette, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Elbert, Evans, Faviile, Gibbons, Harper, Harrington, Hobson, Hood, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lacey, Lee, Marks, McGavren, Merritt, Miles of Washington, Miller, Mills, Miracle, Murdock, Newbold, O'Donnell, Parsons, Rohlf, Rowell, Russell, Sanborn, Satterthwaite, Snow, Stanchfield, Stone, Swan, Tait, Toliver, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, and Wright of Sac—54.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, Hopkins, Mahin, McCoun, Stewart, Stutsman, Traer, Williams, and Mr. Speaker—13.

So the motion did not prevail.

Mr. Dudley moved to amend section 3, by striking out "200" so as to leave the salary \$1,000.

The motion prevailed.

Mr. Dudley moved to amend section 5, by striking out "four hundred" in third line.

Mr. Stanchfield moved to amend the amendment by striking out "\$2,400," and inserting "\$3,000."

The amendment to the amendment did not prevail.

The amendment did not prevail.

Mr. Mills moved to amend section 6, by inserting "four hundred" after the words two thousand in the third line.

Mr. Bigger moved to amend the amendment by striking out "two thousand," and inserting "eighteen hundred."

The amendment to the amendment was not adopted.

On the amendment offered by Mr. Mills, the yeas and nays were demanded by Messrs. Millard and Teale, and were as follows :

The yeas were—

Messrs. Arnold, Carpenter, Day, Hood, Irish, Mills, O'Donnell, Rowell, Stone, and Wasson—10.

The nays were—

Messrs. Applegate, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Tufts, Warner, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—78.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, Mahin, McCoun, Merritt, Stewart, Stutsman, Traer, and Williams—12.

So the amendment was not adopted.

Mr. Butler moved to adjourn.

The motion did not prevail.

Mr. Dudley moved to strike out section 6.

On this question Messrs. Dudley and Stanchfield demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Ball, Bigger, Bonewitz, Brown of Van Buren, Butler, Carver, DeGroat, Dudley, Green, Harrison, Hartenbower, Haycock, Hopkirk, Hunter, Ketcham, Lacey, Lommen, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Noel, Norris, Parsons, Rohlf, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Taylor, Teale, Warner, Wilson, and Wood—38.

The nays were—

Messrs. Arnold, Beresheim, Brown of Fayette, Bundy, Butterfield, Campbell, Carpenter, Cutts, Day, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Hartshorn, Hobson, Hood, Hopkins, Huff, Jones, Kasson, Keables, Lee, Marks, Merritt, Mills, Miracle, Murdock, Newbold, Pratt, Rogers, Rowell, Stanchfield, Swan, Tait, Toliver, Traer, Tufts, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—45.

Absent or not voting.

Messrs. Beatty, Bell, Christoph, Crawford, Dumont, Dunne,

Hirschler, Irish, Mahin, McCoun, McGavren, O'Donnell, Sanborn, Stewart, Stone, Stutsman, and Williams—17.

So the motion to strike out section 6 did not prevail.

Mr. Brown, of Van Buren, moved that the House adjourn.

The motion prevailed.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Russell, Speaker *pro tem.*, in the chair.

The House resumed the consideration of Senate File No. 162.

The question being on the adoption of the amendment offered by Mr. Lacey to the first section of the bill, the amendment was adopted.

Mr. Teale moved to amend section 7, by striking out all after the word "except" in said section.

The motion prevailed.

Mr. Dudley moved to amend section 6, by striking out "two thousand" and inserting "fifteen hundred."

The motion prevailed.

Mr. Cutts moved to amend section 6, by inserting the words "and Circuit," after the words "Supreme and District."

Messrs. Dudley and Stanchfield demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Cutts, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Gibbons, Green, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hopkins, Hopkirk, Huff, Keables, Ketcham, Lacey, Lee, Lommen, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Traer, Warner, Wilson and Wood—63.

The nays were—

Messrs. Arnold, Butterfield, Carpenter, Crawford, Day, Faville, Harper, Harrington, Hartshorn, Hood, Hunter, Jones, Marks, McGavren, Merritt, Miracle, Murdock, Pratt, Rogers, Rowell, Stutsman, Toliver, Tufts, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—27.

Absent or not voting—

Messrs. Christoph, Dunne, Irish, Kasson, Mahin, McCoun, Parsons, Stewart, Stone, and Williams—10.

So the amendment was adopted.

Mr. O'Donnell moved to amend section 6 by adding to the section the following: "*Provided*, That any person elected to fill a vacancy shall receive the salary provided for in this act."

The amendment prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for Senate Files Nos. 37, 38 and 70, A bill for an act to legalize the acts of certain persons acting as notaries public.

Senate File No. 288, A bill for an act to legalize the organization of the independent school district of Fairbanks.

Senate File No. 289, A bill for an act to legalize the organization of the independent school district of Esgate.

C. V. GARDNER, *Ass't. Sect'y.*

Mr. Green moved to amend section 6 by striking out "two thousand," and inserting "eighteen hundred."

On this motion Messrs. Dudley and Green demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Gibbons, Green, Harrison, Hartenbower, Haycock, Hirschler, Hopkins, Hopkirk, Ketcham, Lommen, Miles of Washington, Miles of Wayne, Millard, Miller, Morrison, Newbold, Noel, Norris, Parsons, Rohlf, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Swan, Tait, Taylor, Teale, Tufts, and Wood—48.

The nays were—

Messrs. Arnold, Butterfield, Campbell, Carpenter, Crawford, Day, Faville, Harper, Harrington, Hartshorn, Hobson, Hood, Huff, Hunter, Jones, Keables, Lacey, Lee, Marks, McGavren, Merritt, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Sanborn, Stanchfield, Stutsman, Toliver, Warner, Wasson, Wright of Allamakee, Wright of Sac and Mr. Speaker—36.

Absent or not voting—

Messrs. Ball, Brown of Fayette, Butler, Christoph, Dumont, Dunne, Irish, Kasson, Mahin, McCoun, Rowell, Stewart, Stone, Traer, Williams, and Wilson—16.

So the amendment prevailed.

Mr. Harper moved to reconsider the vote by which all after the word "except" was stricken out of section 7



Messrs. Harper and Sater demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Arnold, Durham, Evans, Harper, Hood, Irish, Jones, Kasson, Ketcham, Marks, McGavren, Miles of Washington, Miracle, Murdock, Pratt, Sanborn, Stanchfield, Warner, Wilson, Wright of Allamakee, and Wright of Sac—21.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Elbert, Gibbons, Green, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Keables, Lacey, Lee, Lommen, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, Parsons, Rohlfs, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Stutsman, Swan, Tait, Taylor, Teale, Wasson, and Wood—59.

Absent or not voting—

Messrs. Butterfield, Christoph, Day, Dumont, Dunne, Faville, Hirschler, Mahin, McCoun, Merritt, O'Donnell, Rogers, Rowell, Stewart, Stone, Toliver, Traer, Tufts, Williams, and Mr. Speaker—20.

So the motion to reconsider did not prevail.

Mr. Brown, of Van Buren, moved to reconsider the vote by which "two hundred was stricken out of section 3.

Mr. Dudley moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider prevailed.

The question recurring on the amendment to strike out "twelve hundred," and insert "one thousand," Messrs. Dudley and Rosser demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bonewitz, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Green, Harrison, Haycock, Hirschler, Hopkins, Hopkirk, Lacey, Lommen, Millard, Morrison, Murdock, Noel, Norris, Rosser, Russell, Sater, Satterthwaite, Snow, Teale, and Wood—35.

The nays were—

Messrs. Arnold, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Evans, Faville, Harper, Hartenbower, Hartshorn, Hobson, Hood, Huff, Jones, Kasson, Keables, Ketcham, Lee, Marks, McGavren, Merritt, Miles of Washington, Mills, Newbold, O'Donnell, Parsons, Pratt, Rohlfs, Rowell, Sanborn, Stanchfield, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner, Wasson, and Wright of Allamakee—42.

Absent or not voting—

Messrs. Beresheim, Butler, Butterfield, Christoph, Day, Dunne, Gibbons, Harrington, Hunter, Irish, Mahin, McCoun, Miles of

Wayne, Miller, Miracle, Rogers, Spencer, Stewart, Stone, Williams, Wilson, Wright of Sac, and Mr. Speaker—23.

The motion did not prevail.

Mr. Cutts moved to amend section 2, by striking out "four hundred," and inserting "two hundred."

The motion prevailed.

Mr. Cutts moved to amend section 5, by striking out "four hundred," and inserting "two hundred."

The motion prevailed.

Mr. Kasson moved to reconsider the vote by which salaries of State officers were reduced to twenty-two hundred dollars.

Mr. Green moved to lay the motion on the table.

On this motion Messrs. Dudley and Green demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Ball, Beatty, Bell, Bigger, Bonewitz, Brown of Van Buren, Bundy, Carpenter, Carver, Crawford, Day, DeGroat, Dudley, Dumont, Durham, Green, Harrison, Haycock, Hopkins, Hopkirk, Lommen, Millard, Morrison, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Snow, Taylor, Teale, and Wood—33.

The nays were—

Messrs. Applegate, Beresheim, Brown of Fayette, Campbell, Cutts, Evans, Faville, Harper, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Marks, McGavren, Merritt, Miles of Washington, Mills, Miracle, Murdock, Parsons, Pratt, Rowell, Russell, Sanborn, Stanchfield, Stone, Stutsman, Swan, Tait, Toliver, Tufts, Warner, Wilson, and Wright of Allamakee—42.

Absent or not voting—

Messrs. Arnold, Butler, Butterfield, Christoph, Dickerson, Dunne, Elbert, Gibbons, Harrington, Huff, Hunter, Mahin, McCoun, Miles of Wayne, Miller, O'Donnell, Rogers, Rohlf, Spencer, Stewart, Traer, Wasson, Williams, Wright of Sac and Mr. Speaker—25.

So the motion to lay upon the table did not prevail.

The motion to reconsider prevailed.

The question being on the amendment to strike out "twenty-four hundred," and insert "twenty-two hundred."

The motion did not prevail.

Mr. Kasson moved to reconsider the vote, by which the salaries of District Judges were reduced to twenty-two hundred dollars.

The motion prevailed.

The question being on the amendment to strike out twenty-four hundred, and insert twenty-two hundred.

The motion did not prevail.

Mr. Cutts moved to reconsider the vote, by which the salaries of Circuit Judges were reduced to eighteen hundred dollars.

The motion prevailed.

The question being on motion to strike out two thousand dollars, and insert eighteen hundred dollars.

Messrs. Applegate and Teale demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Bigger, Brown of Van Buren, Bundy, Butler, Carver, Dickerson, Dudley, Dunmont, Durham, Green, Harrison, Haycock, Hopkins, Hopkirk, Ketcham, Lommen, Miles of Washington, Miles of Wayne, Millard, Morrison, Noel, Norris, Parsons, Rosser, Russell, Sater, Satterthwaite, Snow, Swan, Tait, Taylor, Wilson, and Wood—37.

The nays were—

Messrs. Arnold, Beresheim, Bonewitz, Brown of Fayette, Campbell, Carpenter, Crawford, Cutts, Day, DeGroat, Elbert, Evans, Faville, Harper, Harrington, Hartshorn, Hobson, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Marks, McGavren, Mills, Miracle, Murdock, O'Donnell, Pratt, Rogers, Rowell, Sanborn, Stanchfield, Stutsman, Toliver, Warner, Wasson, Wright of Allamakee, and Wright of Sac—43.

Absent or not voting—

Messrs. Butterfield, Christoph, Dunne, Gibbons, Hartenbower, Hirschler, McCoun, Mahin, Merritt, Miller, Newbold, Roblfs, Spencer, Stewart, Stone, Teale, Traer, Tufts, Williams and Mr. Speaker—20.

So the motion did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body, that the Senate has passed the following bill without amendment:

House File No. 296, A bill for an act for the government of the State University.

E. G. STANLEY, *Enrolling Clerk*.

Mr. Kasson moved the previous question which was seconded, and the main question ordered.

The question being on the engrossment of the bill.

The motion prevailed.

Mr. Rowell moved that the rule be suspended, and the bill read a third time now.

On this question, the yeas and nays were demanded by Messrs. Dudley and Harrington, and were as follows:

The yeas were—

Messrs. Applegate, Arnold, Bereshiem, Bonewitz, Brown of Fayette, Butterfield, Campbell, Carpenter, Crawford, Cutts, Day, DeGroat, Dickerson, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter,

Kasson, Ketcham, Lacey, Lee, Marks, Merritt, Miles of Washington, Mills, Miracle, Murdock, Newbold, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rowell, Russell, Sanborn, Snow, Stanchfield, Stone, Stutsman, Swan, Tait, Toliver, Traer, Warner, Wasson, and Wright of Allamakee—55.

The nays were—

Messrs. Ball, Beatty, Bell, Bigger, Brown of Van Buren, Bundy, Butler, Carver, Dudley, Dumont, Durham, Green, Harrison, Hartenbower, Haycock, Hopkins, Hopkirk, Lommen, McGavren, Miles of Wayne, Millard, Miller, Morrison, Noel, Norris, Rosser, Sater, Taylor, Teale, Tufts, Wilson, Wood, and Wright of Sac—33.

Absent or not voting—

Messrs. Christoph, Dunne, Irish, Jones, Keables, Mahin, McCoun, Satterthwaite, Spencer, Stewart, Williams, and Mr. Speaker—12.

So the motion to suspend the rules did not prevail.

Mr. Kasson moved that the bill be read a third time to-morrow at ten o'clock.

The motion prevailed.

House file No. 268, A bill for an act to repeal section 15, of chapter 86, of the acts of the Twelfth General Assembly, and to provide additional fees and compensation for Circuit Clerks.

On motion of Mr. Huff, the bill was laid on the table.

#### MESSAGE FROM THE GOVERNOR.

A message was received from the Governor, in relation to the disbursements of his contingent fund.

Referred to the Committee on Ways and Means.

Substitute for Senate File No. 150, A bill for an act in relation to e duties and compensation of County Superintendents.

Mr. Rosser moved that the bill be indefinitely postponed.

The motion prevailed.

Mr. Green from the Committee on Constitutional Amendments, submitted the following report:

Mr. SPEAKER—Your Committee on Constitutional Amendments, to whom was referred Senate File No. 76, A bill for an act to provide for the submission of the question of calling a Constitutional Convention to the qualified electors of Iowa, report the same back to the, House, with the recommendation that it do pass.

GREEN, *Chairman.*

Mr. Irish moved that when the House adjourn, it be until 7 o'clock this evening.

The motion prevailed.

House File No. 143, A bill in relation to compensation of County Superintendents.

On motion of Mr. Dudley, the bill was laid on the table.

Substitute for House File No. 289, A bill for an act to increase compensation of District Attorneys.

On motion of Mr. Dudley, the bill was laid on the table.

Senate File No. 87, A bill for an act regulating the appointment and duties of State Librarian.

On motion of Mr. Dudley, the bill was laid on the table.

House File No. 284, A bill for an act providing for additional fees for Sheriffs and others, in certain criminal cases.

Mr. Dudley moved that the bill be indefinitely postponed.

The motion did not prevail.

The bill was ordered engrossed.

Mr. Stanchfield moved that the rule be suspended, and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Crawford, Cutts, Day, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartshorn, Hobson, Hood, Hopkins, Hunter, Jones, Kasson, Keables, Ketcham, Lee, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Murdock, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Russell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Swan, Tait, Taylor, Traer, Tufts, Warner, Wasson, Wilson, Wood, and Wright of Allamakee—69.

The nays were—

Messrs. Ball, Beresheim, Hartenbower, Haycock, Hirschler, Hopkirk, Irish, Morrison, Newbold, Noel, Norris, Stutsman, and Teale—14.

Absent or not voting—

Messrs. Carver, Christoph, DeGroat, Dunne, Gibbons, Huff, Lommen, Mahin, McCoun, Parsons, Pratt, Sanborn, Stewart, Toliver, Williams, Wright of Sac, and Mr. Speaker—17.

So the bill passed, and the title was agreed to.

House File No. 367, A bill for an act apportioning the State of Iowa into Representative Districts.

The bill was ordered engrossed.

On motion of Mr. Evans the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, But-

terfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Elbert, Evans, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rohlf, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Wright of Sac—87.

The nays were—

Messrs. O'Donnell, Rowell, and Toliver—3.

Absent or not voting—

Messrs. Applegate, Christoph, Dunne, Green, Harper, McCoun, Rogers, Sanborn, Williams, and Mr. Speaker—10.

So the bill passed and title was agreed to.

Senate File No. 111, A bill for an act to amend section 40, chapter 138, of the acts of the Twelfth General Assembly.

The bill was ordered engrossed.

On motion of Mr. Rohlf the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Green, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hunter, Jones, Kasson, Keables, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Satterthwaite, Stutsman, Swan, Tait, Taylor, Teale, Traer, Warner, Wasson, Wright of Allamakee, and Wright of Sac—69.

The nays were—

Messrs. Ball, Beatty, Beresheim, Bigger, Harrington, Hopkirk, Ketcham, Rowell, Sater, Snow, Spencer, Toliver, Tufts, Wilson, and Wood—15.

Absent or not voting—

Messrs. Applegate, Christoph, Dunne, Elbert, Gibbons, Harrison, Huff, Irish, Mahin, McCoun, Sanborn, Stanchfield, Stewart, Stone, Williams, and Mr. Speaker—16.

So the bill passed and the title was agreed to.

House File No. 269, A bill for an act to prevent the adulteration of milk and cheese.

The bill was ordered engrossed.

On motion of Mr. Wilson, the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, O'Donnell, Pratt, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Wright of Sac—85.

The nays were—

Mr. Rohlf—1.

Absent or not voting—

Messrs. Applegate, Bigger, Christoph, Dunne, Elbert, Lommen, Mahin, McCoun, Norris, Parsons, Rogers, Stewart, Williams, and Mr. Speaker—14.

So the bill passed and the title was agreed to.

Mr. Irish moved to adjourn.

The motion did not prevail.

House File No. 271, A bill for an act in relation to the State Historical Society.

Mr. Green moved that the bill be indefinitely postponed.

The motion prevailed.

Senate File No. 181, A bill for an act for the improvement of the Penitentiary, and to provide for the salary and compensation of the Warden.

The bill was ordered engrossed.

On motion of Mr. Dudley, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Beresheim, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Dumont, Durham, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock,

Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlfs, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Wilson, Wright of Allamakee, and Wright of Sac—80.

The nays were—

Messrs. Elbert, Gibbons, Sater, Tufts, Warner, and Wasson—6.

Absent or not voting—

Messrs. Applegate, Bigger, Butler, Christoph, Day, Dunne, Mahin, Marks, McCoun, O'Donnell, Stewart, Williams, Wood, and Mr. Speaker—14.

So the bill passed and the title was agreed to.

Mr. Wilson moved that the House adjourn.

The motion prevailed.

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SEVEN AND A HALF O'CLOCK, P. M.

The House met pursuant to adjournment.

Called to order by the Chief Clerk.

Mr. Rogers was elected Speaker *pro tem*.

On motion of Mr. Harper, Mr. Rohlfs from the Committee on Internal Improvements submitted the following report :

MR. SPEAKER—Your Committee on Internal Improvements to whom was referred Senate File No. 244, A bill for an act to repeal section 2, chapter 169 of the laws of the Ninth General Assembly and enact a substitute therefor, report the same back to the House, with the recommendation that it do pass.

M. J. ROHLFS, *Chairman*.

Mr. Brown of Van Buren moved a call of the House, which was seconded.

Mr. Stanchfield moved that further proceedings under the call be suspended.

Mr. Green moved that Mr. Stanchfield have permission to offer the following resolution :

*Be it resolved by the House the Senate concurring,* That the Ways and Means Committees of the two branches of the General Assembly are hereby instructed to include in the special appropriation bill a reasonable sum for the reimbursement of the expenses of the Commission of Legal Inquiry.

The resolution was adopted.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate File No. 153, A bill for an act to amend section 17, chapter 172, of the laws of the Ninth General Assembly.

Senate File No. 250, A bill for an act in relation to certain school taxes, in the independent school district of Tipton.

Senate File No. 235, A bill for an act to legalize the incorporation of the Regular Baptist Church, of Algona.

Senate File No. 19, A bill for an act to repeal section 1568, of the Revision of 1860, and to provide a substitute therefor.

Senate File No. 241, A bill for an act for the relief of Joseph W. Caldwell.

I also return herewith House File No. 278, A bill for an act to legalize the sale of the Indemnity Swamp Lands of Ida county, Iowa.

House File No. 360, A bill for an act to legalize the organization of and the election of directors of the independent school district of Shellsburg, Benton county.

House File No. 270, A bill for an act to legalize the organization of the independent school district of Missouri Valley, Harrison county, Iowa.

House File No. 356, A bill for an act to legalize the incorporation of the town of Afton, and the official acts of the officers thereunder.

House File No. 311, A bill for an act to legalize the action of the Board of Supervisors of Jackson county, in relation to the disbursement of swamp land fund.

Substitute for House File No. 256, A bill for an act to enable counties to supply Justices of the Peace with Conklin's Iowa Justice.

I am also directed to inform your honorable body that the Senate has passed the following bill, notwithstanding the Governor's objections :

Senate File No. 198, A bill for an act releasing to James H. Jordan, of Davis county, Iowa, the interest of the State of Iowa in and to the n  $\frac{1}{2}$  of section 10, township 70, north of range 3, west, in Davis county. In which the concurrence of the House is asked.

I also transmit the objections of the Governor.

J. A. T. HULL, *1st Assistant Secretary.*

Senate File No. 217, A bill for an act making appropriations for the Iowa State Agricultural College and Farm, was taken up and considered.

Mr. Irish moved that the bill be indefinitely postponed.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 274, A bill for an act to amend chapter 123, of the laws of the Eleventh General Assembly, relating to the gray uniform furnished to certain members of the Second and Third Iowa Infantry.

J. A. T. HULL, *1st. Asst. Secretary.*

Mr. Irish by consent of the House withdrew the motion to indefinitely postpone.

Mr. Toliver, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled.

House File No. 156, A bill for an act to improve the tax system of this State, and to avoid errors in the assessment of real estate.

House File No. 359, A bill for an act for the relief of certain settlers upon the Des Moines River Lands.

House File No. 296, A bill for the government of the State University.

House File No. 150, A bill for an act for the relief of Marion county, for money stolen from the county sale.

G. S. TOLIVER, *Chairman.*

Senate File No. 188, A bill for an act to enable townships, Incorporated Towns and Cities, to aid in the construction of Railroads.

A joint resolution asking a grant of land to indemnify settlers upon the Des Moines River Lands.

Senate File No. 135, A bill for an act to provide for the taxation, of the real and personal property of Express and Telegraph Companies.

Senate File No. 229, A bill for an act to enable Independent School Districts, to borrow money for the erection of school-houses.

Senate File No. 128, A bill for an act authorizing the conveying of certain property in Iowa City, by Register of State Land Office.

Senate File No. 184, A bill for an act making additional appropriation for the Iowa Soldiers Orphan's Home.

Senate File No. 242, A bill for an act appropriating money to defray the expense of a reunion of Iowa Soldiers.

House File No. 172, A bill for an act making further appropriation for the Hospital for the Insane, at Mt. Pleasant.

Senate File No. 178, A bill for an act to amend section 2218 of the Revision of 1860, in relation to tenants.

Senate File No. 237, A bill for an act for the relief of Jasper county for money stolen from the county safe.

Senate File No. 246, A bill for an act to legalize certain acts of the Mayor and Town Council of the incorporated town of West Liberty:

Senate File No. 168, A bill for an act to facilitate the acquisition of the right of way over the line of abandoned railways, and to facilitate the construction of the same.

Senate File No. 8, A bill for an act in relation to the penalty on certain taxes.

G. S. TOLIVER, *Chairman*.

Mr. Traer moved the previous question, which was seconded, and the main question ordered.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill with amendment as noted in the bill, in which the concurrence of the House is asked :

Senate File No. 262, A bill for an act relating to the acknowledgment of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

GEO. H. BALLOU, *Engrossing Clerk*.

The question being on the engrossment of the bill, the motion prevailed.

On motion of Mr. Wright of Sac, the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows.

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Green, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner,

Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—84.

The nays were—

Messrs. Gibbons, and Noel—2.

Absent or not voting—

Messrs. Christoph, Crawford, Dumont, Dunne, McCoun, Mills, Norris, Rowell, Russell, Sanborn, Sater, Stewart, Williams, and Wood—14.

So the bill passed and the title was agreed to.

Mr. Lacy moved that the Senate message be taken up.

The motion prevailed.

Substitute for Senate Files Nos. 37, 38, and 78, A bill for an act to legalize the acts of certain notaries public, was taken up and read a first and second time and ordered engrossed.

On motion of Mr. Wasson, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Harrison, Hartenbower, Hartshorn, Hirschler, Hood, Hunter, Irish, Jones, Keables, Lacey, Lee, Lommen, Marks, Miles of Washington, Miles of Wayne, Milard, Miracle, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Snow, Stanchfield, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—64.

The nays were—

Messrs. Campbell, Green, Harper, Hopkins, Hopkirk, Ketcham, Mahin, Miller, Sater, Satterthwaite, Spencer, and Swan—12.

Absent or not voting—

Messrs. Christoph, Crawford, Dumont, Dunne, Elbert, Harrington, Haycock, Hobson, Huff, Kasson, McCoun, McGavren, Merritt, Mills, O'Donnel, Rowell, Russell, Sanborn, Stewart, Stone, Taylor, Warner, Williams, and Wright of Sac—24.

So the bill passed and the title was agreed to.

Mr. Toliver from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER—The Committee on Enrolled Bills asks leave to report that they have examined the following bill, and found the same correctly enrolled :

House File No. 274, A bill for an act to amend chapter 123 of the laws of the Eleventh General Assembly, relative to the gray uniforms furnished to certain members of the 2d and 3d Iowa Infantry.

G. S. TOLIVER, *Chairman.* }

Mr. Traer moved to take Senate File No. 87, a bill for an act regulating the appointment of a State Librarian, etc., from the table.

The motion prevailed.

Mr. Dudley moved to strike out section 15.

The motion did not prevail.

Mr. Traer moved the previous question, which was not seconded.

Mr. Cutts moved to amend the first section—strike out the words, “the Governor, by and with the advice of the Judges of the Supreme Court, shall appoint,” and insert, “there shall be elected by the people at the general election in 170.”

Leave was granted Mr. Day to withdraw certain claims of Jenkins and Redley, of Estherville, from the Committee on Claims.

Mr. Cutts moved that the House adjourn.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
April 12, 1870. }

The House met pursuant to adjournment.

The speaker in the chair.

Prayer by Rev. Mr. Turnbull.

Mr. Arnold moved that the reading of the Journal be dispensed with.

Mr. Arnold, from the Sifting Committee, submitted the following report:

We, the undersigned, members of the House Sifting Committee, beg leave to report that, contrary to our wishes, Senate File No. 226, A bill to authorize counties to establish High Schools, is among the second class bills, and we desire to place it among the first class bills, and ask that the same be taken up, the rule suspended, and the bill put upon its passage.

DELOS ARNOLD,  
JOEL BROWN,  
SAMUEM MURDOCK,  
JOHN MORRISON, JR.,  
JOHN MAHIN,  
C. R. MARKS,  
JNO. Y. STONE,  
JOHN F. LACEY,  
FRED. TEALE,  
JNO. W. GREEN,  
C. DUDLEY,  
B. F. HARTSHORN,  
O. O. STANCHFIELD,

HENRY L. HUFF,  
WM. HARPER,  
GEO. H. WRIGHT,  
G. S. TOLIVER,  
J. W. TRAER,  
JAMES WILSON,  
JOHN D. HUNTER,  
JOHN RUSSELL,  
S. H. ROGERS,  
AARON BROWN,  
J. W. BEATTY,  
W. C. EVANS,  
M. J. ROHLFS,

Mr. Arnold moved that Senate File No. 226, A bill for an act to authorize counties to establish and maintain High Schools, be taken up.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am direct to inform your honorable body that the Senate has passed the following bills without amendment :

Substitute for House File No. 182, A bill for an act to provide for the support and education of the blind.

House File No. 113, A bill for an act in relation to omnibuses, transfer companies and common carriers generally.

House File No. 200, A bill for an act for the relief of Harrison county, Iowa, for money stolen from the county safe.

House File No. 239, A bill for an act to amend section 1 of chapter 77 of the laws of the Ninth General Assembly.

House File No. 369, A bill for an act supplemental to an act for the government of the Hospital for the Insane.

House File No. 300, A bill for an act to amend sections 3324 and 3325 of the Revision of 1860.

House File No. 357, A bill for an act to legalize the election of the officers and directors of the independent school district of Ackley, Hardin county, Iowa, of March 14th, 1870.

House File No. 365, A bill for an act to amend chapter 55 of the Revision of 1860.

House File No. 364, A bill for an act to legalize the incorporation of the town of Prairie City, Jasper county, Iowa.

House File No. 222, A bill for an act to tax lands owned by counties, within the limits of other counties.

House File No. 306, A bill for an act to authorize the Vinton Water Power Company to construct a dam across Cedar River, in Taylor or Cedar townships, Benton county.

Substitute for House File No. 316, A bill for an act to legalize the acts of the independent district of Kirkville, Wapello county, Iowa.

I also return herewith joint resolution appointing Trustees for Blind Asylum.

Joint resolution for mail facilities.

Joint resolution in relation to Commission of Legal Inquiry, which have passed the Senate without amendment.

I am also directed to inform your honorable body that the Senate has concurred in the following resolutions :

Concurrent resolution to print memorial to Congress on the water route, by way of Fox and Wisconsin rivers, and the northern lakes.

Concurrent resolution in relation to allowing Board of Immigration postage and stationery.

Concurrent resolution directing the Postmaster to remain one week after adjournment.

Also that the Senate has concurred in House amendments to resolution in regard to Bulletin Supplement.

J. A. T. HULL,  
*1st Assist. Secretary.*

Leave was granted the Sifting Committee to sit during the session of the House.

The House proceeded to consider Senate File No 226 by sections, and ordered the engrossment of the bill.

Mr. Taylor moved to strike out "two," and insert "one," in the 4th line of the second section.

The motion did not prevail.

On motion of Mr. Rohlfis, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bigger, Brown of Fayette, Bundy, Campbell, Carpenter, Carver, Day, Dudley, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Huff, Hunter, Irish, Jones, Kasson, Ketcham, Lee, Lommen, McGavren, Merritt, Miles of Wayne, Millard, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlfis, Rosser, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Warner, Wasson, Wright of Allamakee, and Mr. Speaker—65.

The nays were—

Messrs. Beresheim, Bonewitz, Brown of Van Buren, Crawford, DeGroat, Durham, Hirschler, Hopkirk, Miller, and Russell—10.

Absent or not voting—

Messrs. Butler, Christoph, Cutts, Dickerson, Dumont, Dunne, Green, Hobson, Keables, Lacey, Mahin, Marks, McCoun, Miles of Washington, Mills, Morrison, Rowell, Russell, Satterthwaite, Teale, Tufts, Wilson, Williams, Wood, Wright of Sac—25.

So the bill passed and the title was agreed to.

Mr. Pratt moved that the Substitute for House File No. 97, A bill for an act to provide for the erection of a monument to deceased soldiers, in the cemetery at Keokuk, Iowa, be taken up.

The motion prevailed and the bill was taken up and considered.

Mr. Traer moved that the bill lie on the table.

The motion prevailed.

Mr. Harrison moved that Senate File No. 143, A bill for an act for the relief of Louisa county, for money stolen from the county safe, be taken up.

The motion prevailed, and the bill was taken up and considered, and ordered engrossed.

On motion of Mr. Harrison, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Christoph, Day, Dudley, Durham, Elbert, Evans, Harper, Harrington, Harrison, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Pratt, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—75.

The nays were—

Messrs. Carpenter, Crawford, DeGroat, Faville, Gibbons, Hartenbower, Hirschler, Ketcham, Morrison, and Rogers—10.

Absent or not voting—

Messrs. Arnold, Cutts, Dickerson, Dumont, Dunne, Green, Harts-horn, Hobson, McCoun, Mills, Parsons, Rohlf, Stanchfield, Williams and Wood—15.

So the bill passed and the title was agreed to.

Mr. Brown, of Fayette, from the Committee on Military Affairs, had leave to submit the following report:

MR. SPEAKER—Your Committee on Military Affairs, to whom was referred substitute for Senate File No. 128, A bill for an act for the relief of the widow and heirs of Joseph B. Dorr, late Colonel 8th Iowa Cavalry, beg leave to report that they have had the same under recommendation and that they find the following facts:

1st. That on the 28th, day of August 1856, Joseph B. Dorr borrowed of the School Fund, of the State of Iowa, the sum of \$4,000 for which he gave his note, secured by a mortgage on certain real estate in the city of Dubuque, and in Jackson and Allamakee counties, Iowa.

2d. That in 1864 said J. B. Dorr, died in the military service of the United States, of wounds and disease contracted in said service, in the line of his duty.

3d. That \$136 65-100 of interest has been paid on said loan, and that there is now due thereon the sum of about \$9,200.

4th. That the real estate in Dubuque and Jackson counties, mortgaged to secure said loan does not exceed in value the sum of three thousand five-hundred dollars.



5th. That the widow and heirs of said J. B. Dorr, are in extremely indigent circumstances, and that their interest in said real estate is all the property they have and their only means of subsistence, and that it would be an act of great hardship to subject said property to the payment of said loan.

Your Committee believe that to release these mortgaged lands, as proposed in the bill would be a just and honorable act, and that the State can well afford to sacrifice the amount of this property to the widow and heirs, of one who sacrificed his life for the State and nation.

Believing therefore that if they are in error, they have erred on the side of humanity, your Committee cheerfully recommend the passage of the bill.

AARON BROWN, *Chairman.*

On motion of Mr. Noel the House proceeded to the consideration of the substitute for Senate File No. 128, "A bill for an act for the relief of the widow and heirs of Joseph B. Dorr, late Colonel 8th Iowa Cavalry.

Mr. Traer moved to lay the bill on the table.

The motion did not prevail.

Mr. Dudley moved to amend by striking out so much as refers to the father of Joseph B. Dorr.

Mr. Cutts moved to strike out all after the enacting clause in section 1, and insert the following:

"The State of Iowa hereby reverses and relinquishes to the widow and heirs of said Joseph B. Dorr, all the right, claim, interest, title, or lien in, to or upon, said lots eight and nine, (8-9) in Bruck street addition to the city of Dubuque, which accrued to the State, under and by virtue of said mortgage, provided however, that this act shall not take effect until the sureties upon the note given by said Joseph B. Dorr, shall first enter in writing upon the records of said court, their full consent to the release herein provided for."

The amendment was adopted, and the bill was ordered engrossed.

On motion of Mr. Brown of Fayette the rule was suspended, and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Cutts, DeGroat, Durham, Elbert, Evans, Faville, Harper, Harrington, Harrison, Hartenbower, Harts-horn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lee, Lommen, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Norris, O'Donnell,

Parsons, Pratt, Rogers, Rohlf, Rosser, Russell Sanborn, Sater, Satterthwaite, Snow, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Tufts, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—76.

The nays were—

Messrs. Ball, Noel, Rowell, and Traer—4.

Absent or not voting—

Messrs. Butterfield, Christoph, Crawford, Day, Dickerson, Dudley, Dumont, Dunne, Gibbons, Green, Lacey, Mahin, McCoun, Miles of Washington, Spencer, Stanchfield, Stewart, Teale, Warner, and Williams—20.

So the bill passed and the title was agreed to.

Mr. Evans moved that the Substitute for House File No. 244, A bill to amend the law regulating the appointment of agents for the sale of intoxicating liquors, for culinary and other purposes.

The motion prevailed, and the bill was taken up and considered.

The question being on the adoption of the substitute, the motion prevailed.

Mr. Traer moved to reconsider the vote by which the House adopted the substitute.

The motion prevailed.

Mr. Traer moved to amend the first section, by inserting after the word "1575," the words, "of the Revision of 1860."

The amendment was adopted.

Mr. Traer moved to insert after the word "Trustees," in the 4th line of section 1, the words, "in their official capacity."

The amendment was adopted.

Mr. Merritt moved to add the following section :

SECTION 4. The report, as given by the person selling liquor under the provisions of this act, shall be published in at least one paper in the county, giving the name of the person, and the kind and quantity of liquor sold.

Mr. Gibbons moved to lay the bill on the table.

The motion did not prevail.

Mr. Bundy moved the previous question, which was seconded, and the main question ordered.

The question being on the adoption of the amendment offered by Mr. Merritt, the amendment was not adopted.

The question being on the adoption of the substitute, the motion prevailed.

The bill was ordered engrossed.

On motion of Mr. Traer, the rule was suspended and the bill read a third time.

On this motion Messrs O'Donnell and Wood demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Ball, Beatty, Bigger, Bonewitz, Brown of Fay-

ette, Brown of Van Buren, Bundy, Butler, Campbell, Carpenter, Carver, Day, Durham, Evans, Faville, Harper, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Jones, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Newbold, Noel, Norris, Pratt, Rogers, Rosser, Sanborn, Snow, Spencer, Stanchfield, Stutsman, Tait, Taylor, Teale, Traer, Tufts, Warner, Wasson, Wilson, and Wood—55.

The nays were—

Messrs. Applegate, Bell, Beresheim, Cutts, DeGroat, Dickerson, Elbert, Gibbons, Harrison, Hartenbower, Hirschler, Hood, Irish, Keables, Ketcham, Lacey, Mills, Miracle, Morrison, Murdock, O'Donnell, Parsons, Rohlf, Rowell, Sater, Satterthwaite, Stone, Toliver, Wright of Allamakee, Wright of Sac, and Mr Speaker—31.

Absent or not voting—

Messrs. Butterfield, Christoph, Crawford, Dudley, Dumont, Dunne Green, Kasson, McCoun, Miles of Washington, Russell, Stewart, Swan, and Williams,—14.

So the motion did not prevail.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills:

House File No. 96, A bill for an act to repeal chapter 127, of the acts of the Eleventh General Assembly.

House File No. 45, Substitute for a bill for an act to empower school boards to procure school-house sites.

I am also directed to inform your honorable body that the Senate has concurred to House amendments to Senate File No. 90, A bill for an act to amend chapters 52 and 53, of the Revision of 1860.

C. V. GARDNER, *Assistant Secretary.*

Mr. Bundy moved that Senate File No. 87 be taken up.

The motion did not prevail.

Mr. Stone from the Committee on Orphans' Home submitted the following report :

The Committee on Orphans' Home to whom was referred the accompanying resolution appointing Trustees of Orphans' Home, report that they have had the same under consideration and they report the same back, with the accompanying substitute, with the recommendation that the substitute do pass.

JOHN Y. STONE, *Chairman.*

Mr. Stone offered a substitute for the House Resolution appointing J. W. Cattell from the State at large.

Wm. Sater from 1st Congressional District.

John L. Davies from the 2d Congressional District.

P. G. Wright from the 3d Congressional District.

Wm. E. Shepherd from the 4th Congressional District.

A. R. Wright from the 5th Congressional District.

T. B. Carpenter from the 6th Congressional District.

Upon which the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Cutts, Day, DeGroat, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Harper, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Carpenter, Christoph, Crawford, Dudley, Dumont, Dunne, Green, Harrington, Harrison, McConn, Miles of Washington, and Williams—12.

So the substitute was adopted.

Mr. Miracle offered a resolution instructing the Secretary of State to furnish the members and clerks of the present General Assembly of both branches, with a copy of all Supreme Court reports of this State, published during their term of office.

Mr. Irish moved to amend by including the officers.

Mr. Wright of Sac offered a substitute that the members, president, secretaries and clerks be furnished these reports.

Mr. Rogers moved the previous question which was seconded and the main question ordered.

The motion to adopt the substitute did not prevail.

The amendment of Mr. Irish was adopted,

On the adoption of the original resolution as amended, Messrs. Dudley and Ketcham demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Bigger, Brown of Fayette, Crawford, Cutts, Day, DeGroat, Elbert, Gibbons, Harper, Harrison, Hartshorn, Hirschler, Hobson, Hood, Huff, Jones, Merritt, Miles of Washington, Miracle, Murdock, Rohlf, Stanchfield, Stone, Toliver,

Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Wright of Sac—33.

The nays were—

Messrs. Ball, Beatty, Bereshiem, Bonewitz, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Dickerson, Dudley, Durham, Evans, Faville, Harrington, Hartenbower, Haycock, Hopkins, Hopkirk, Hunter, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Wayne, Millard, Miller, Mills, Morrison, Newbold, Noel, Norris, O'Donnell, Parsons, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, and Mr. Speaker—55.

Absent or not voting—

Messrs. Carpenter, Christoph, Dumont, Dunne, Green, Irish, Lee, Mc Coun, Pratt, Rogers, Russell, and Williams—12.

So the resolution was not adopted.

Mr. Miracle moved that the resolution in relation to the Onawa branch of the C. and N. W. R. R. be transferred from third class to first class.

The motion did not prevail.

Senate File No. 204, A bill for an act to amend chapter 101, of the Revision of 1860, pertaining to husband and wife, and regulating their rights and liabilities, was taken up and considered.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked.

Senate File No. 252, A bill for an act defining the duties of Street Commissioners, in incorporated towns and cities.

Substitute for Senate File No. 27, A bill for an act to change the time of the meeting of the Trustees of the Iowa Agricultural College and Farm, and for other purposes.

Senate File No. 197, A bill for an act to regulate road taxes and road labor in certain cases

I also return herewith House File No. 204, A bill for an act to amend the law in respect to the liens of mechanics, and others, which has passed the House without amendments.

J. A. T. HULL, 1st Asst. Secretary.

The bill was ordered engrossed.

Mr. Morrison moved that the rule be suspended and the bill read a third time.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bigger, Brown of Fayette, Bundy, Campbell, Carver, Crawford, Cutts, Day, Dickerson, Durham, Evans, Faville, Harper, Harrington, Harrison, Hobson, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Morrison, Murdock, Newbold, Noel, O'Donnell, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stone, Stutsman, Tait, Taylor, Teale, Toliver, Warner, Wasson, Wood, Wright of Allamakee, and Wright of Sac—66.

The nays were—

Messrs. Beresheim, Brown of Van Buren, Butler, Butterfield, Carpenter, DeGroat, Elbert, Hartshorn, Miller, Parsons, Russell, Spencer, Swan, Traer, Tufts, Wilson, and Mr. Speaker—17.

Absent or not voting—

Messrs. Bonewitz, Christoph, Dudley, Dumont, Dunne, Gibbons, Green, Hartenbower, Haycock, Hirschler, Hood, McCoun, Miracle, Norris, Pratt, Stewart, and Williams—17.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, without amendments:

Substitute for House File No. 59, A bill for an act to provide for the draining of land.

House File No. 79, A bill for an act for the more effectual prevention of cruelty to animals.

Substitute for House File No. 26, A bill for an act to repeal section 722, of the Revision of 1860, to provide a substitute therefore, and to prevent fraud in assessments.

C. V. GARDNER, *Asst. Secretary.*

Senate File 205, A bill for an act to amend chapter 100, of the Revision of 1860, in relation to the estates of decedents was taken up and considered.

The question being on the adoption of the amendment reported by the Committee.

The motion prevailed.

The bill was ordered engrossed.

On motion of Mr. Lacey the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Cutts, Day, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Mahin, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Norris, O'Donnell, Parsons, Rohlf, Rosser, Rowell, Russell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—77.

The nays were none.

Absent or not voting—

Messrs. Butterfield, Carpenter, Christoph, Crawford, DeGroat, Dudley, Dumont, Dunne, Green, Harrison, Irish, Kasson, Lommen, Marks, McCoun, Noel, Pratt, Rogers, Sanborn, Stewart, Stone, Stutsman, and Williams—23.

So the bill passed and the title was agreed to.

Mr. Dudley, from the Committee of Conference on Senate File No. 105, had leave to submit the following report :

MR. SPEAKER—The undersigned, Joint Committee on Senate File No. 105, report as follows :

We recommend that the House recede from its amendments.

W. LARRABEE,

L. E. FELLOWS,

*Committee on part of the Senate.*

J. D. MILES,

T. CRAWFORD,

*Committee on part of the House.*

Dissenting—

A. H. HAMILTON, *Senate.*

C. DUDLEY, *House.*

Mr. Hobson moved that the House concur in the report of the Conference Committee.

Messrs Dudley and Sater demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Beresheim, Brown of Fayette, Butler, Carpenter, Crawford, Day, DeGroat, Harrington, Hartshorn, Hobson, Huff, Hunter, Jones, Kasson, Keables, Lee, Lommen, Merritt, Miles of Washington, Millard, Mills, Murdock, O'Donnell, Parsons, Russell, Sanborn, Satterthwaite, Stanchfield, Stone, Stutsman, Taylor, Traer, Warner, Wilson, Wood, Wright of Allamakee, and Wright of Sac—38.

The nays were—

Messrs. Applegate, Ball, Beatty, Bell, Bigger, Bonewitz, Brown of Van Buren, Bundy, Butterfield, Campbell, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrison, Hartenbower, Haycock, Hirschler, Hood, Hopkins, Hopkirk, Ketcham, Lacey, Mahin, Marks, McGavren, Miles of Wayne, Miller, Morrison, Newhold, Norris, Rogers, Rohlf, Rosser, Sater, Snow, Spencer, Swan, Tait, Teale, Toliver, Tufts, Wasson, and Mr. Speaker—52.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Green, Irish, Miracle, Noel, Pratt, Stewart, and Williams—10.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Substitute for Senate File No. 119, A bill for an act to amend section 12, of Chapter 86, of the laws of the Twelfth General Assembly of the State of Iowa.

Substitute for Senate File No 223, A bill for an act pertaining to a bill of review.

I also return herewith House File No. 116, A bill for an act to repeal section 8969, of the Revision of 1860, and to provide a substitute therefor.

House File No. 290, A bill for an act to authorize the State Census Board to compromise and collect unavailable balances and accounts with defaulting county Treasurers.

Which have passed the Senate without amendment.

C. V. GARDNER, *Asst. Secretary.*

So the House refused to concur in the report of the Conference Committee.

Mr. Applegate moved that the House adhere to its amendments. The motion prevailed.

Senate File No. 206, A bill for an act to amend section 2532 of the Revision of 1860 in relation to divorce and alimony, was taken up and considered, and the bill was ordered engrossed.

On motion of Mr. Cutts the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays was as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy,



Butler, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Norris, O'Donnell, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—88.

The nays were none.

Absent or not voting—

Messrs. Butterfield, Christoph, Dudley, Dumont, Dunne, Green, Mahin, McCoun, Mills, Noel, Stewart, and Williams—12.

So the bill passed and the title was agreed to.

Senate File No. 207, A bill for an act to amend chapter 86, laws of the 12th General Assembly, in relation to Courts was taken up and considered.

The question being upon the adoption of the amendment reported by the Committee, the motion prevailed.

The bill was ordered engrossed.

On motion of Mr. Rowell the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Campbell, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Stanchfield, Stone, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Mr. Speaker—75.

The nays were none.

Absent or not voting.

Messrs. Bundy, Butterfield, Carpenter, Christoph, Dumont, Dunne, Green, Harper, Hirschler, Irish, Kasson, Lee, McCoun, Merritt, Miles of Wayne, Mills, Noel, O'Donnell, Pratt, Rohlf, Spencer, Stewart, Stutsman, Williams, and Wright of Sac—25.

So the bill passed and the title was agreed to.

Senate File No. 208, A bill for an act to amend the Code of Civil

Practice was taken up and considered and the bill was ordered engrossed.

On motion of Mr. Dudley, the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Bundy, Campbell, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Faville, Harper, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Norris, Parsons, Rogers, Rohlf, Rowell, Russell, Sanborn, Snow, Stanchfield, Stone, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—69.

The nays were—

Mr. Butler—1.

Absent or not voting—

Messrs. Bell, Brown of Fayette, Butterfield, Carpenter, Christoph, Crawford, DeGroat, Dumont, Dunne, Evans, Gibbons, Green, Harrington, Harrison, Hirschler, Irish, Kasson, McCoun, Miles of Wayne, Noel, O'Donnell, Pratt, Rosser, Sater, Satterthwaite, Spencer, Stewart, Taylor, Warner, and Williams—30.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills without amendments:

House File No. 304, A bill for an act to amend section 1187, of the Revision of 1860, relating to Incorporations.

Substitute for House File No. 94, A bill for an act to amend section 4538, of the Revision of 1860.

House File No. 219, A bill for an act to annex certain lands to the Independent School District of Strawberry Point, for school purposes.

House File No. 368, A bill for an act to legalize the sale of certain School Lands in Story county.

O. V. GARDNER, *Asst. Secretary.*

Mr. Brown of Van Buren moved that when the House adjourn, it be until 1½ o'clock P. M.

Mr. Huff moved the House adjourn.

The motion prevailed.

ONE AND A-HALF O'CLOCK P. M.

The House met pursuant to adjournment.  
Speaker in the chair.

Mr. Brown of Fayette, had leave to offer a resolution in relation to the distribution of Adjutant-General's Reports.

The resolution was adopted.

Senate File No. 209, A bill for an act to amend part fourth, of the Revision of 1860, was taken up and considered, and the bill was ordered engrossed.

Mr. Lacey moved a call of the House which was seconded, and the clerk proceeded to call the roll.

Messrs. Dumont, Green, Dunne, McCoun, and Crawford were excused.

Mr. Wilson moved that further proceedings under the call be dispensed with.

The motion prevailed.

Mr. Rowell moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Mr. Murdock moved to strike out from the first line of section 1 the words "4192" and "4194," and to strike out sections 2 and 3 of the bill.

On the adoption of the amendments Messrs. Lacey and Huff demanded the yeas and nays which were as follows:

The yeas were—

Messrs. Ball, Bell, Bigger, Brown of Van Buren, Bundy, Carpenter, DeGroat, Dudley, Durham, Gibbons, Harrington, Hartenbower, Hopkirk, Huff, Jones, Ketcham, Miles of Washington, Millard, Mills, Miracle, Murdock, Noel, Norris, Parsons, Rosser, Rowell, Sanborn, Satterthwaite, Snow, Stone, Stutsman, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—36.

The nays were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Brown of Fayette, Butler, Butterfield, Campbell, Carver, Cutts, Day, Dickerson, Evans, Faville, Harper, Harrison, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hunter, Irish, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miller, Morrison, Russell, Sater, Stanchfield, Swan, Tait, Teale, Toliver, Traer, and Tufts—44.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, Elbert, Green, Kasson, McCoun, Miles of Wayne, Newbold, O'Donnell, Pratt, Rogers, Rohlfis, Spencer, Stewart, Warner, Williams and Wood—20.

So the amendment was not adopted.

Mr. Toliver from the Committee on Enrolled Bills made the following report.

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

A memorial to the honorable Senate and House of Representatives of the Congress of the United States.

A memorial and joint resolution to Congress in reference to the Fox and Wisconsin Rivers.

Senate File No. 101, A bill for an act to provide for the purchase of G. Green's reports of the decisions of the Supreme Court of Iowa.

Senate File No. 181, A bill for an act for the improvement of the Penitentiary, and to provide for the salary and compensation of the Warden.

Senate File No. 111, A bill for an act to amend section 40, of chapter 138, of the acts of the Twelfth General Assembly, to regulate insurance companies.

Senate File No. 193, A bill for an act for the government of Hospitals for the Insane, defining the legal relations of insane persons, and providing for their care and protection.

G. S. TOLIVER, *Chairman.*

Mr. Cutts moved to strike out section 12.

The amendment was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

Substitute for Senate File No 228, A bill for an act making appropriation for State Reform School.

I also return herewith House File No. 367, A bill for an act apportioning the State of Iowa into Representative Districts, and declaring the ratio of representation.

Substitute for House File No. 64, A bill for an act to destroy Canada thistles, with amendments noted in the bill, in which the concurrence of the House is asked.

Substitute for House File No. 17, A bill for an act to define the manner in which the re-survey of lands shall be made, without amendment.

House File No. 152, A bill for an act to confer certain powers upon Judges of the Circuit Courts, with amendments as noted in the bill.

J. A. T. HULL,  
*First Assistant Secretary.*

Mr. Stutsman moved to strike the figures, "4805," out of section 1.

The motion prevailed.

Mr. Stone moved to amend the bill by allowing changes of venue in preliminary examinations.

The motion did not prevail.

The bill was ordered engrossed.

Mr. Butler moved that the rule be suspended, and the bill read a third time now.

On this question, Messrs. Bigger and Jones demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Applegate, Arnold, Beresheim, Bonewitz, Brown of Fayette, Butler, Butterfield, Campbell, Carver, Outts, Dickerson, Evans, Faville, Gibbons, Harper, Harrison, Hartenbower, Haycock, Hobson, Hood, Irish, Keables, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Wayne, Miller, Mills, Morrison, Parsons, Pratt, Rowell, Russell, Sanborn, Snow, Stone, Stutsman, Tait, Teale, Toliver, Traer, Tufts, Wood, Wright of Allamakee, and Wright of Sac—49.

The nays were—

Messrs. Ball, Bell, Bigger, Brown of Van Buren, Bundy, Carpenter, DeGroat, Dudley, Durham, Harrington, Hirschler, Hopkins, Hopkirk, Huff, Jones, Ketcham, Miles of Washington, Milard, Miracle, Murdock, Newbold, Noel, Norris, Rosser, Sater, Satterthwaite, Spencer, Swan, Wasson, Wilson, and Mr. Speaker—31.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Day, Dumont, Dunne, Elbert, Green, Hartshorn, Hunter, Kasson, McCoun, O'Donnell, Rogers, Rohlf, Stanchfield, Stewart, Taylor, Warner, and Williams—20.

So the rule was not suspended.

Mr. Hobson had leave to introduce House File No. 371, A bill for an act making the Judges Commissioners of the Library, which was read a first and second time and ordered engrossed.

Mr. Hobson moved that the rule be suspended and the bill read a third time now.

The motion prevailed and the bill was read a third time now.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, DeGroat, Dickerson, Durham, Elbert, Evans, Faville, Gibbons, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Irish, Lacey, Lee, Marks, McGavren, Merritt, Miles of Wayne, Milard, Miller, Mills, Miracle, Murdock, Norris, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Spencer, Stone,

Stutsman, Swan, Tait, Taylor, Traer, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—58.

The nays were—

Messrs. Bonewitz, Butler, Carpenter, Carver, Cutts, Dudley, Evans, Harper Harrington, Harrison, Jones, Keables, Ketcham, Lommen, Mahin, Miles of Washington, Morrison, Newbold, Noel, Sater, Snow, Teale, and Tufts—23.

Absent or not voting—

Messrs. Beatty, Bigger, Christoph, Crawford, Day, Dumont, Dunne, Green, Hartshorn, Hunter, Kasson, McCoun, O'Donnell, Rohlf, Stanchfield, Stewart, Toliver, Warner, and Williams—19.

So the bill passed and the title was agreed to.

Senate File No. 196, A bill for an act to amend section 2833, of the Revision of 1860, was taken up and considered, and ordered engrossed.

On motion of Mr. Stutsman, the rule was suspended and the bill read a third time now.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Campbell, Carver, Cutts, DeGroat, Dickerson, Durham, Elbert, Faville, Gibbons, Harper, Harrison, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rosser, Rowell, Russell, Sanborn, Snow, Stone, Stutsman, Swan, Tait, Teale, Traer, Wasson, Wilson, Wright of Sac, and Mr. Speaker—63.

The nays were—

Messrs. Bell, Bonewitz, Carpenter, Evans, Hartenbower, Jones, Mahin, Mills, Parsons, Pratt, Satterthwaite, Spencer, Stewart, Taylor, Tufts, Wood, and Wright of Allamakee—17.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Day, Dudley, Dumont, Dunne, Green, Harrington, Hartshorn, Kasson, McCoun, O'Donnell, Rogers, Rohlf, Sater, Stanchfield, Toliver, and Warner—20.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 202, A bill for an act to legalize the sale of Public Square in Bloomfield, Davis county, Iowa, was taken up and considered.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills without amendment:

House File No. 301, A bill for an act for the relief of Patrick Hamil.

House File No 361, A bill for and act to legalize the organization of an independent school district formed from portions of Page and Taylor counties.

Also, House File No. 366, A bill for an act to amend an act entitled an act to authorize the improvement of streets and alleys, approved April 8, 1870, being chapter 65, with amendments as noted in the bill, in which the concurrence of the House is asked.

I am also directed to inform the House that the Senate has concurred in House resolution in relation to joint convention, with amendment, by striking out "10" and inserting "9," in which the concurrence of the House is asked.

C. V. GARDNER, *Asst. Secretary.*

Mr. Wilson moved the previous question, which was seconded, and the main question ordered.

The question being on the engrossment of the bill, the motion prevailed.

Mr. Russell moved that the rule be suspended and the bill read a third time now.

The motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Elbert, Faville, Harper, Harrington, Hartenbower, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Ketcham, Lacey, Lee, Lommen, Merritt, Miles of Washington, Miles of Wayne, Millard, Morrison, Murdock, Newbold, Noel, Norris, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Teale, Traer, Tufts, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—63.

The nays were—

Messrs. Applegate, Butler, Day, Evans, Harrison, Haycock, Hood, Jones, Kasson, Mahin, Miller, Pratt, Rogers, and Stewart,—14.

Absent or not voting—

Messrs. Beatty, Butterfield, Christoph, Crawford, Dumont, Dunne, Green, Hartshorn, Irish, Keables, Marks, McCoun, McGavren, Miracle, O'Donnell, Parsons, Rohlf, Sater, Stone, Taylor, Toliver, Warner, and Williams—23.

So the bill passed and the title was agreed to.

Mr. Harrington moved that messages from the Senate be taken up.

The motion did not prevail.

Senate File No. 179, A bill for an act to establish the Medical Department of the State University, was taken up and considered, and on motion of Mr. Stanchfield, was indefinitely postponed.

Senate File No. 13, A bill for an act to authorize County Auditors to administer oaths and have a seal, was taken up and considered, and ordered engrossed.

On motion of Mr. Evans, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker.—91.

The nays were none.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, Green, McCoun, O'Donnell, and Williams—9.

So the bill passed and the title was agreed to.

On motion of Mr. Kasson, Substitute for Senate File No. 162, A bill for an act defining and establishing the salary of the Governor, and other State officers.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Brown of Fayette, Butterfield, Campbell, Carpenter, Day, Dickerson, Elbert, Evans, Faville, Harper, Harrington, Hartenbower, Hobson, Hood, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Miller, Miracle, Murdock, Newbold, Parsons, Rowell, Sanborn, Stanchfield, Stewart, Stone, Stutsman, Taylor, Wasson, and Mr. Speaker—45.

The nays were—

Messrs. Ball, Bell, Bigger, Bonewitz, Bundy, Butler, Carver, Cutts, DeGroat, Dudley, Durham, Gibbons, Harrison, Hartshorn,



Haycock, Hirschler, Hopkins, Hopkirk, Irish, Lommen, Mahin, Millard, Mills, Morrison, Noel, Norris, Pratt, Rogers, Rosser, Russell, Sater, Satterthwaite, Snow, Spencer, Swan, Tait, Teale, Toliver, Traer, Tufts, Wilson, Wood, Wright of Allamakee, and Wright of Sac—44.

Absent or not voting—

Messrs. Brown of Van Buren, Christoph, Crawford, Dumont, Dunne, Green, McCoun, O'Donnell, Rohlf, Warner, and Williams.—11.

So the bill did not pass.

Mr. Cutts moved a reconsideration of the vote by which the bill was lost.

The motion prevailed.

Mr. Wilson moved that the vote by which the bill was ordered engrossed be reconsidered.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the House is asked.

Substitute for Senate File No. 56, A bill for an act to amend section 2824 of the Revision of 1860.

I also return herewith, House File No. 106, A bill for an act to consolidate taxes which are uniform in civil townships and independent school districts and to amend section 746 of the Revision of 1860, which has passed the Senate without amendment.

C. V. GARDNER,

*Asst. Secretary.*

Mr. Cutts moved to strike out "two thousand four hundred" in section 2, and insert "twenty-two hundred."

The motion prevailed.

Mr. Tufts moved to strike out sections 5 and 6.

Mr. Wright of Sac moved to amend the amendment by striking out section 6.

The motion did not prevail.

The amendment did not prevail.

Mr. Cutts moved to amend section 5 by striking out "twenty-four hundred" and inserting "twenty-two hundred."

The motion prevailed.

Mr. Applegate moved to amend section 6 by striking out "two thousand, and inserting "eighteen hundred.

The motion prevailed.

The bill was ordered engrossed.

On motion of Mr. Wilson, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Brown of Fayette, Bundy, Butterfield, Campbell, Carver, Cutts, Day, Dickerson, Dudley, Durham, Faville, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Rohlf, Rowell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Tufts, Wasson, Wilson, Wood, and Wright of Sac—63.

The nays were—

Messrs. Bonewitz, Brown of Van Buren, Butler, DeGroat, Elbert, Gibbons, Harrison, Hirschler, Hopkirk, Irish, Lommen, Mahin, Mills, Noel, Norris, Pratt, Rogers, Rosser, Russell, Spencer, Taylor, Traer, and Wright of Allamakee—23.

Absent or not voting—

Messrs. Beatty, Carpenter, Christoph, Crawford, Dumont, Dunne, Green, McCoun, O'Donnell, Parsons, Satterthwaite, Warner, Williams, and Mr. Speaker—14

So the bill passed and the title was agreed to.

House File No. 194, A bill for an act to amend section 4235, of the Revision of 1860, was taken up and considered, and ordered engrossed.

On motion of Mr. Wright, of Sac, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, and Wright of Sac—90.

The nays were none.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, Green, McCoun, O'Donnell, Williams, and Mr. Speaker—10.

So the bill passed and the title was agreed to.

Senate File No. 244, A bill for an act to repeal section 2, of chapter 1, acts of the Ninth General Assembly, and enact a section in lieu thereof, was taken up and considered, and ordered engrossed.

On motion of Mr. Rogers, the rule was suspended, the bill read a third time, and on the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Millard, Mills, Miracle, Morrison, Newbold, Noel, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—83.

The nays were—

Mr. Elbert—1.

Absent or not voting—

Messrs. Bundy, Christoph, Crawford, Dumont, Dunne, Green, McCoun, Miles of Wayne, Miller, Murdock, Norris, O'Donnell, Snow, Stanchfield, Stone, and Williams—16.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 252, a bill for an act for the payment of S. H. Davis, late Second Lieut. Co. F, 9th Iowa Cavalry, for certain military services.

C. V. GARDNER, *Assistant Secretary*,

House File No. 239, A bill for an act to amend an act to enable municipal corporations to settle, adjust, and compromise their indebtedness, was taken up and considered, and ordered engrossed.

On motion of Mr. Gibbons, the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Greene, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Albamakee, Wright of Sac, and Mr. Speaker.—91.

The nays were—

Mr. Satterthwaite—1.

Absent or not voting—

Messrs. Beatty, Christoph, Crawford, Dumont, Dunne, McCoun, O'Donnell, and Williams—8.

So the bill passed and the title was agreed to.

House File No. 253, A bill for an act to provide for the formation of the Thirteenth Judicial District, and providing for the election of District and Circuit Judges, and District Attorney was taken up and considered.

Mr. Marks proposed the following amendment to the bill:

Amend by substituting the following for sections 1, 2, 4, and 5:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the counties of Dickinson, Clay, Buena Vista, Emmett, Palo Alto, Pocahontas, Kossuth, Humbolt, Sac, Calhoun, Carroll, and Green, shall constitute the Thirteenth Judicial District.

SEC. 2. The counties of Woodbury, Monona, Harrison, Ida, Crawford, Shelby, Plymouth, Sioux, Lyon, Osceola, O'Brien, and Cherokee, shall constitute the Fourth Judicial District.

SEC. 4. The counties of Emmett, Palo Alto, Pocahontas, Dickinson, Clay, and Humbolt, shall constitute the First Circuit of the Thirteenth Judicial District; and the counties of Sac, Calhoun, Carroll, Green, and Buena Vista, shall constitute the Second Circuit of said District.

SEC. 5. The counties of Crawford, Shelby, Harrison, Monona, and Ida, shall constitute the First Circuit of the Fourth Judicial District, and the counties of Woodbury, Plymouth, Sioux, Lyon, Osceola, O'Brien, and Cherokee, shall constitute the Second Circuit of said District.

The amendment was adopted.

Mr. Wilson moved the previous question which was seconded, and the main question ordered.

The bill was ordered engrossed.

On motion of Mr. Wright of Sac the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carver, Cutts, Day, DeGroat, Elbert, Evans, Faville, Harrison, Hartenbower, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Jones, Kasson, Keables, Lee, Mahin, Marks, McGavren, Miles of Washington, Miles of Wayne, Miller, Miracle, Murdock, Newbold, Norris, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stewart, Stone, Stutsman, Tait, Toliver, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—60.

The nays were—

Messrs. Bigger, Bonewitz, Carpenter, Dickerson, Dudley, Durham, Haycock Hopkins, Hopkirk, Ketcham, Lacey, Lommen, Merritt, Millard, Morrison, Noel, Parsons, Spencer, Swan, Teale, and Wilson—20.

Absent or not voting—

Messrs. Bundy, Christoph, Crawford, Dumont, Dunne, Gibbons Green, Harper, Harrington, McCoun, Mills, O'Donnell, Snow, Taylor, Tufts, Warner, Williams, and Wood—20.

So the bill passed and the title was agreed to.

On motion of Mr. Ketcham the substitute for Senate File 228, A bill for an act making appropriation for the Reform School, was taken up and considered, and ordered engrossed.

On motion of Mr. Mills the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Stanchfield, Stone, Stutsman, Tait,

Taylor, Teale, Toliver, Tufts, Wasson, Wilson, Wright of Allamakee, and Wright of Sac—82.

The nays were none.

Absent or not voting—

Messrs. Christoph, Crawford, Dumont, Dunne, Green, Harper, Harrington, McCoun, O'Donnell, Snow, Spencer, Swan, Traer, Warner, Williams, Wood, and Mr. Speaker—18.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 119, A bill for an act to amend chapter 46, of the Tenth General Assembly of the State of Iowa.

C. V. GARDNER, *Asst. Secretary.*

The substitute for House File No. 122, A bill for an act to repeal chapter 81, of the Revision of 1860, and to regulate the sale of unclaimed goods in the possession of Forwarding and Commission Merchants, &c., was taken up and considered.

Mr. Cutts moved to strike out the word "three" in the first line of section 2, and insert "six."

The motion prevailed.

The bill was ordered engrossed.

On motion of Mr. Rogers the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Bell, Bigger, Brown of Van Buren, Butterfield, Carpenter, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Elbert, Faville, Harrington, Harrison, Hartenbower, Haycock, Hobson, Hood, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Mills, Miracle, Morrison, Murdock, Newbold, Norris, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Toliver, Traer, Wasson, Wilson, Wood, Wright of Allamakee, and Wright of Sac—66.

The nays were—

Messrs. Beatty, Beresheim, Bonewitz, Brown of Fayette, Butler, Campbell, Evans, and Noel—8.

Absent or not voting—

Messrs. Arnold, Bundy, Christoph, Crawford, Day, Dumont, Dunne, Gibbons, Green, Harper, Hartshorn, Hirschler, Hopkins, Lommen,

McCoun, O'Donnell, Parsons, Russell, Snow, Stewart, Taylor, Teale, Tufts, Warner, Williams and Mr. Speaker—26.

So the bill passed and the title was agreed to.

Mr. Rowell moved that when the House adjourn, it be until 7 o'clock.

The motion prevailed.

The substitute for Senate File No. 52, A bill for an act providing for the publication and distribution of the Geological Survey of this State, was taken up and considered.

Mr. Morrison moved that the bill be indefinitely postponed.

Mr. Rohlfs moved the previous question, which was seconded, and the main question ordered, and the bill ordered engrossed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to the following bills :

Substitute for Senate File No. 162, a bill for an act defining and establishing the salary of the Governor, and other State officers, and Judges of the several Courts of the State.

Senate File No. 165, A bill for an act to provide for the completion of the center building, the north wing, rear center building, engine house, chimney and ducts, and improvement of the grounds and farm of the Iowa hospital for the Insane at Independence.

House File No. 225, A bill for an act making appropriations for the relief of George Wilson, which has passed the Senate without amendment.

Senate File No. 253, A bill for an act making appropriations for the *per diem* and expenses of the Thirteenth General Assembly, and for other purposes.

O. V. GARDNER, *Asst. Secretary.*

On motion of Mr. Day, the rule was suspended, and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Bell, Bonewitz, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Day, Dickerson, Durham, Elbert, Faville, Harper, Hartshorn, Hobson, Hood, Hopkins, Hunter, Irish, Jones, Kasson, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Newbold, Norris, Parsons, Pratt, Rogers, Rohlfs, Rowell, Russell, Sanborn, Satterthwaite, Stanchfield, Stone, Swan, Tait, Taylor, Toliver, Traer, Tufts, Warner,

Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—59.

The nays were—

Messrs. Ball, Beatty, Beresheim, Bigger, Carpenter, Carver, Cutis, Dudley, Evans, Gibbons, Harrington, Harrison, Haycock, Hirschler, Hopkirk, Huff, Keables, Ketcham, Morrison, Murdock, Rosser, Sater, Spencer, Stutsman, Teale, and Wood—26.

Absent or not voting—

Messrs. Bundy, Christoph, Crawford, DeGroat, Dumont, Dunne, Green, Hartenbower, McCoun, Mills, Noel, O'Donnell, Snow, Stewart, and Williams—15.

So the bill passed and the title was agreed to.

Mr. Hobson moved that the House adjourn.

The motion prevailed.

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SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

Speaker in the Chair.

Mr. Kasson moved that Senate messages be taken up.

The motion prevailed.

Mr. Kasson moved a call of the House, which was ordered, and the Clerk proceed to the call of the roll.

Mr. Kasson moved that further proceedings under the call be dispensed with.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 211, A bill for an act to resume and re-grant certain lands in Taylor county, Iowa.

J. A. T. HULL,  
*1st. Assist. Secretary.*

Mr. Toliver from the Committee on Enrolled Bills submitted the following report :

MR. SPEAKER—The Committee on enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled :



House File No. 152, A bill for an act to confer certain powers on the Judges of the Circuit Court.

House File No. 106, A bill for an act to consolidate taxes which are uniform in civil townships and independent school districts, and to amend section 746 of the Revision of 1860.

House File No. 204, A bill for an act to amend the law in respect to the liens of mechanics and others.

House File No. 311, A bill for an act to legalize the action of the Board of Supervisors of Jackson county, in relation to disbursement of swamp land fund.

House File No. 360, A bill for an act to legalize the organization of and the election of the independent school district of Shellsburg, Benton county, Iowa.

Joint resolution in relation to special appropriation in the hands of the Ways and Means Committee.

House File No. 368, A bill for an act to amend chapter 55 of the Revision of 1860.

House File No. 96, A bill for an act to repeal chapter 127 of the acts of the Eleventh General Assembly of the State of Iowa.

House File No. 26, A bill for an act to repeal 722 of the Revision of 1860, and to provide a substitute therefor, and to prevent fraud in assessments.

House File No. 364, A bill for an act to legalize the incorporation of the town of Prairie City, Jasper county, Iowa.

House File No. 222, A bill for an act to tax lands which are owned by counties within the limits of other counties.

House File No. 219, A bill for an act to annex certain lands to the independent school district of Strawberry Point for school purposes.

House File No. 256, A bill for an act to enable counties to provide Justices of the Peace with a copy of Conklin's Iowa Justice for the use of their respective offices.

Joint resolution in relation to the postmaster of the General Assembly.

Joint resolution to print memorial to Congress on the water route by way of the Wisconsin and Fox rivers and the Northern lakes.

House File No. 316, A bill for an act to legalize the acts of the independent district of Kirkville, Wapello county, Iowa.

House File No. 356, A bill for an act to legalize the incorporation of the town of Afton, Union county, Iowa, and the acts of the officers acting thereunder.

House File No. 132, A bill for an act to provide for the support and education of the blind.

House File No. 369, A bill for an act supplementary to an act entitled an act for the government of Hospitals for the Insane, defining the legal relations of insane persons, and providing for their care and protection.

Joint resolution to Congress in relation to mail route from Amita, in Cass county, via Hamlin's Grove, Oakfield, Exira, Lucock's Grove, Mocks, and Carrollton, to Carroll Center.

House File No. 94, A bill for an act to amend section 4538, of the Revision of 1860.

House File No. 278, A bill for an act to legalize the sale of the indemnity swamp lands of Ida county, Iowa.

House File No. 270, A bill for an act to legalize the organization of the independent school district of Missouri Valley, Harrison county, Iowa.

House File No. 113, A bill for an act in relation to omnibuses, transfer companies, and common carriers generally.

House File No. 239, A bill for an act to amend section 1, of chapter 77, of the laws of the Ninth General Assembly.

House File No. 361, A bill for an act to legalize the organization of an independent school district from portions of Page and Taylor counties.

House File No. 116, A bill for an act to repeal section 3969, of the Revision of 1860, and to provide a substitute therefor.

House File No. 59, A bill for an act to provide for the draining of land.

House File No. 357, A bill for an act to legalize the erection of the independent school district of Ackley, Hardin county, Iowa, March 14, 1870.

Joint resolution in relation to Trustees for the Education of the Blind.

House File No. 300, A bill for an act to amend sections 3324 and 3325, of the Revision of 1860.

House File No. 200, A bill for an act for the relief of Harrison county, for money stolen from the county safe.

G. S. TOLIVER, *Chairman.*

Mr. Parsons moved that leave be granted him to introduce a resolution for the printing of the evidence taken before the House Investigating Committee on this question.

Messrs. Lacey and Butterfield demanded the yeas and nays, which were as follows :

The yeas were—

Messrs. Arnold, Ball, Beatty, Beresheim, Bonewitz, Butterfield, Campbell, Crawford, Cutts, Day, DeGroat, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkirk, Lacy, Lee, Lommen, Marks, Merritt, Miles of Wayne, Millard, Miller, Morrison, Noel, O'Donnell, Parsons, Rohlfs, Rosser, Rowell, Sater, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—47.

The nays were—

Messrs. Applegate, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Hirschler, Hood, Huff, Irish, Ketcham, Mahin, Mills, Miracle, Newbold, Norris, Pratt, Russell, Sanborn, Swan, Tait, Teale, Tolliver, Tufts, and Mr. Speaker—30.

Absent or not voting—

Messrs. Bell, Butler, Carpenter, Carver, Christoph, Dickerson, Dumont, Dunne, Green, Hopkins, Hunter, Jones, Kasson, Keables, McCoun, McGavren, Miles of Washington, Murdock, Rogers, Satterthwait, Taylor, Toliver, and Williams—23

So the motion did not prevail.

Mr. Parsons moved that leave be granted Mr. Kasson to introduce a telegram from J. A. Williamson and have the same read.

The motion prevailed.

Mr. Kasson asked consent to introduce the following:

*Resolved*, That Gen. J. A. Williamson, have leave to file within thirty days his deposition in answer to any interrogations that may be filed by the Chairman of the Investigation Committee in respect to the charges examined by them; and in the absence of such interrogations, he have leave to file his sworn statement in respect thereto.

Mr. Cutts objected.

Mr. Parsons then moved that the telegram from Gen. Williams be filed with the evidence on that subject.

The motion prevailed.

Mr. Traer had leave to introduce House File No. 372, A bill for an Act making appropriation for the payment of salaries of state and judicial officers, and for interest &c.

Read a first and second time.

Mr. Parsons moved to amend the bill by adding the following: "Section 27, for the payment of the rent of a house for the Governor during his term of office, \$600 per annum."

The amendment was adopted.

Mr. Kasson moved to amend section 25 by striking out "twenty-five" and inserting "ten."

The motion prevailed.

Mr. Morrison moved to amend section 16 by striking out "four" in the second line and insert "two," and in the fifth line strike out "four hundred."

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 248, A bill for an act apportioning the State of Iowa into Senatorial Districts.

House File No. 810, A bill for an act to define rights the of church corporations in certain cases.

C. V. GARDNER,  
*Assistant Secretary.*

The amendment was not adopted.

The bill was ordered engrossed.

On motion of Mr. Traer the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartenbower, Haycock, Hirschler, Hobson, Hood, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Murdock, Newbold, Noel, Norris, O'Donnell, Parsons, Pratt, Rohlf, Rosser, Russell, Sanborn, Sater, Snow, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Traer, Wainer, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—83.

The nays were —

Mr. Morrison—1.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Evans, Hartshorn, Hopkins, McCoun, Miller, Rogers, Rowell, Satterthwaite, Spencer, Taylor, Toliver, Tufts, and Williams, —16.

So the bill passed and the title was agreed to.

Senate File No. 253, A bill for an act making appropriation for the payment of the per diem of members, officers, and employees of the 13th General Assembly, etc., was taken up and considered.

Mr. Russell moved to amend the bill by striking out in section 10 "fifteen" and insert "six" the amount allowed him.

The amendment was adopted.

Mr. Dickerson moved to strike out \$15 and insert \$6 in section 11.

The amendment was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that

the Senate has passed the following bill in which the concurrence of the House is asked.

Senate File No. 152, A bill for an act to amend section ten of chapter 22 of the acts of the 10th General Assembly.

C. V. GARDNER,  
*Asst. Secretary.*

Mr. Kasson moved to amend section 42 by striking out "two hundred" and inserting "four hundred," and add at the end of section "or so much thereof as may be necessary; and insert after the words "clerk hire" the words, "and paper folders remaining after adjournment.

The motion prevailed.

Mr. Swan moved to amend the bill by adding the following: "to John Tomlinson for four days services as Janitor at \$5, the sum of \$20.

The amendment was adopted.

Mr. Traer moved to strike out the provision allowing the Auditor of State \$25,000, for settling with County Auditor's.

The motion prevailed.

Mr. Pratt moved to amend the bill as follows:

"To H. O. Russell, Sergeant-at-Arms, for attendance on the Investigating Committee the sum of \$100.00, and to C. M. Mosier, Clerk of said Committee, the sum of \$200.00 to be paid on certificate of the Chairman of Investigating Committee.

The amendment was adopted.

The bill was ordered engrossed.

On motion of Mr. Kasson, the rule was suspended and the bill read a third time.

On question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Day, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miles of Wayne, Millard, Mills, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—90.

The nays were—

Mr. O'Donnell—1.

Absent or not voting—

Messrs. Beresheim, Christoph, Dumont, Dunne, Green, McCoun, Miller, Rohlf, and Williams—9.

So the bill passed and the title was agreed to.

Senate File No. 248, A bill for an act apportioning the State of Iowa into Senatorial Districts, was taken up and considered.

Mr. Mills moved to make the bill the special order for 10 o'clock to-morrow.

The motion did not prevail.

Mr. Rohlf moved to lay the bill on the table.

The motion did not prevail.

Mr. Mills moved to amend section 36, by striking out "one," and inserting "two" as the number of Senators.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bills, without amendment:

House File No. 337, A bill for an act to amend section 3, of chapter 72, of the laws of the Eleventh General Assembly.

House File No. 282, A bill for an act to amend the Registry Law.

House File No. 313, A bill for an act to organize the county of Crocker.

House File No. 283, A bill for an act to increase the compensation of County Treasurers.

House File No. 324, A bill for an act to legalize the laying out of roads under the Revision of 1860.

C. V. GARDNER,  
*Ass't. Secretary.*

The motion to amend was not adopted.

Mr. Gibbons moved to amend section 1 by striking out "twenty-five" and inserting "twenty-three."

On this motion Messrs. Mills and O'Donnell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bonewitz, Crawford, DeGroat, Elbert, Evans, Gibbons, Green, Harrison, Hartenbower, Hirschler, Hood, Hopkirk, Irish, Jones, Kasson, Lee, Lommen, Mahin, Merritt, Miles of Washington, Mills, Murdock, Newbold, Noel, O'Donnell, Pratt, Rogers, Rohlf, Snow, Spencer, Swan, Taylor, Toliver, Wilson, Wood, Wright of Allamakee, and Mr. Speaker.—40.

The nays were—

Messrs. Arnold, Beatty, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Dickerson, Dudley, Durham, Faville, Harrington, Haycock, Hobson, Hopkins, Huff, Hunter, Keables, Lacey, Marks, McGavren, Millard, Miller, Miracle, Morrison, Norris, Rosser, Rowell, Russell, Sanborn, Stewart, Stone, Stutsman, Tait, Traer, Tufts, and Wasson—41.

Absent or not voting—

Messrs. Bundy, Christoph, Day, Dumont, Dunne, Harper, Hartshorn, Ketcham, Parsons, McCoun, Miles of Wayne, Sater, Satterthwaite, Stanchfield, Teale, Warner, Williams, and Wright of Sac—19.

So the motion to amend was not adopted.

Mr. Traer moved the previous question, which was seconded, and the main question ordered.

The question being on the engrossment of the bill, the motion prevailed.

Mr. Traer moved that the rule be suspended and the bill read a third time.

On this motion Messrs. Mills and O'Donnell demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Durham, Elbert, Evans, Faville, Harper, Harrington, Haycock, Hobson, Hopkins, Hunter, Keables, Lacey, Marks, McGavren, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Noel, Norris, Rogers, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Teale, Traer, Tufts, Wasson, Wilson, Wright of Sac, and Mr. Speaker—58.

The nays were—

Messrs. Applegate, Ball, Bell, Crawford, DeGroat, Evans, Gibbons, Hartenbower, Hirschler, Hood, Hopkirk, Irish, Jones, Kasson, Lommen, Mahin, Mills, Murdock, Newbold, O'Donnell, Parsons, Pratt, Rohlfs, Sater, Stanchfield, Taylor, Wilson, and Wood—28.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Green, Harrison, Hartshorn, Ketcham, Lee, McCoun, Miles of Wayne, Satterthwaite, Toliver, Warner, and Williams—14.

So the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Beatty, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Cutts, Day, Dickerson, Dudley, Durham,

Elbert, Faville, Harper, Harrington, Hartshorn, Haycock, Hobson, Hopkins, Huff, Hunter, Keables, Ketcham, Lacey, Marks, McGavren, Merritt, Millard, Miller, Miracle, Morrison, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Traer, Wasson, and Wilson—58.

The nays were—

Messrs Applegate, Ball, Bell, Crawford, DeGroat, Evans, Gibbons, Green, Hartenbower, Hirschler, Hood, Hopkirk, Irish, Kasson, Lee, Lommen, Mahin, Mills, Murdock, Newbold, O'Donnell, Rohlfs, Sater, Taylor, Toliver, Wood, Wright of Allamakee, Wright of Sac and Mr. Speaker—29.

Absent or not voting—

Messrs. Christoph, Dumont, Dunne, Harrison, Jones, McCoun, Miles of Washington, Miles of Wayne, Pratt, Satterthwaite, Tufts, Warner, and Williams, —13.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to return the following bills which have passed the Senate without amendment.

House File No. 371, A bill for an act making the Judges of the Supreme Court Library Commissioners.

House File No. 269, A bill for an act to prevent the adulteration of milk and cheese.

C. V. GARDNER,  
*Asst. Secretary.*

Mr. Toliver from the Committee on Enrolled bills made the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and find the same correctly enrolled.

House File No. 225, A bill for an act making appropriation for the relief of George Wilson.

House File No. 301, A bill for an act for the relief of Patrick Hamil.

House File No. 290, A bill for an act to authorize the State Census Board to compromise and collect unavailable balances and accounts with defaulting County Treasurers.

House File No. 45, A bill for an act to empower School Boards to procure school house sites.

House File No. 306, A bill for an act to authorize the Vinton Water Power Company to construct a dam across Cedar river, in Taylor or Tedar townships, Benton county.



House File No. 367, A bill for an act apportioning the State of Iowa into Representative Districts, and declaring the rates of representation.

G. S. TOLIVER, *Chairman.*

Mr. Kasson moved that the House adjourn until 11½ o'clock.  
The motion prevailed.

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ELEVEN AND ONE-HALF O'CLOCK, P. M.

House met pursuant to adjournment.  
The Speaker in the Chair.

A joint resolution in relation to Des Moines river land was taken up and considered.

Mr. Hobson moved the adoption of the resolution.

The motion prevailed.

A concurrent resolution in relation in regard to the settlement of swamp land claims was taken up and considered.

Mr. Hobson moved the adoption of the resolution.

The motion prevailed.

The House concurred in the Senate amendment to the resolution fixing the time for holding the joint convention at 9 o'clock.

A joint resolution in relation to the Onawa branch of the C. and N. W. R. R. was taken up and considered, and on motion of Mr. Dudley, the resolution was adopted.

Mr. Hobson moved that the House adjourn until 8 o'clock to-morrow morning.

The motion did not prevail.

Mr. Rogers moved a call of the House.

The motion did not prevail.

Senate File No. 76, A bill for an act to provide for submitting the question of calling a constitutional convention to the people of Iowa was read a first and second time and ordered engrossed.

On motion of Mr. Millard the rule was suspended and the bill read a third time.

On the question "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Beatty, Bell, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Elbert, Evans, Harper, Harrison, Hartshorn, Haycock, Hobson, Hopkirk, Irish, Kasson,

Keables, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Müller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Spencer, Stone, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wasson, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—59.

The nays were—none.

Absent or not voting—

Messrs. Applegate, Arnold, Ball, Butler, Campbell, Carpenter, Christoph, Crawford, Day, Dumont, Dunne, Faville, Gibbons, Green, Harrington, Hartenbower, Hirschler, Hood, Hopkins, Huff, Hunter, Jones, Ketcham, Lacey, McCoun, Merritt, Miles of Wayne, Mills, O'Donnell, Parsons, Pratt, Rowell, Satterthwaite, Snow, Stanchfield, Stewart, Toliver, Traer, Warner, Williams, and Wood—41.

So the bill passed and the title was agreed to.

House File No. 262, A bill for an act relating to the acknowledgment of deeds in certain cases, etc.

The question being on the concurrence in the Senate amendments the yeas and nays were as follows:

The yeas were—

Messrs. Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Carver, Cutts, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Harper, Harrison, Hartenbower, Hartshorn, Haycock, Hobson, Hopkirk, Irish, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Marks, McGavren, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Parsons, Rogers, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Spencer, Stanchfield, Stewart, Swan, Tait, Taylor, Tufts, Wasson, Wilson, Wright of Sac, and Mr. Speaker—59.

The nays were—none.

Absent or not voting—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Butler, Campbell, Carpenter, Christoph, Crawford, Day, Dumont, Dunne, Elbert, Gibbons, Green, Harrington, Hirschler, Hood, Hopkins, Huff, Hunter, Jones, Kasson, McCoun, Merritt, Miles of Wayne, Mills, Norris, O'Donnell, Pratt, Russell, Snow, Stone, Teale, Toliver, Traer, Warner, Williams, Wood, and Wright of Allamakee—41.

So the amendments were concurred in.

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WEDNESDAY, April 13, 1870.

The House continued in session without adjournment.

Mr. Wilson moved that speeches be limited to five minutes.  
The motion prevailed.

Mr. Parsons moved that the vote by which the resolution in relation to Des Moines River lands was passed, be reconsidered.

The motion prevailed.

Mr. Parsons moved that the resolution be amended as follows:

1. *Provided*, That said grant or confirmation be made upon the express condition, and not otherwise, that said land, or so much thereof as may be necessary, be first used to indemnify all persons who have purchased from the United States or the State of Iowa, any lands lying within the limits of the Des Moines River grant, whose titles have since been held invalid, or who may hold pre-emptions or homestead certificates for any portion of said lands, which may have been heretofore certified to the State of Iowa, in lieu of lands lying within the limits of said grant, which certificates are now, or may be hereafter, held invalid by the Department of the Interior. And,

2. *Provided further*, That the remainder of said lands shall be held and sold, in accordance with the resolution recently adopted by Congress, in relation to public grants hereafter to be made, and

3. *Provided further*, That said grant or confirmation shall in no manner affect the rights or claims of any person or persons, who shall have settled upon any of said lands at the date of said act or resolution, making such grant or confirmation under the Homestead or Pre-emption laws of the United States.

Mr. Rogers moved the previous question, which was not seconded.

On motion of Mr. Dickerson, Mr. Parsons was allowed to speak a second time on the question before the House.

On motion of Mr. Murdock, Mr. Cutts was allowed to speak a second time on the question before the House.

Mr. Applegate moved to lay the resolution on the table.

The motion did not prevail.

On the adoption of the amendments, Messrs. Parsons and Dickerson demanded the yeas and nays, which were as follows:

The yeas were—

Messrs. Applegate, Beatty, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carver, DeGroat, Dickerson, Harrington, Harrison, Hartshorn, Haycock, Hopkins, Hopkirk, Ketcham, Lee, Lommen, Mahin, Merritt, Miles of Washington, Millard, Murdock, Newbold, Parsons, Pratt, Rohlf's, Sater, Spencer, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wilson, and Wood—37.

The nays were—

Messrs. Bigger, Brown of Van Buren, Butler, Carpenter, Cutts, Day, Durham, Elbert, Evans, Faville, Gibbons, Hood, Huff, Keables, Lacey, Marks, Miller, Miracle, Morrison, Norris, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Stanchfield, Toliver, Wasson, and Mr. Speaker—29.

Absent or not voting—

Messrs. Arnold, Ball, Bell, Beresheim, Campbell, Christoph, Crawford, Dudley, Dumont, Dunne, Green, Harper, Hartenbower,

Hirschler, Hobson, Hunter, Irish, Jones, Kasson, McCoun, McGavren, Miles of Wayne, Mills, Noel, O'Donnell, Rogers, Snow, Stewart, Stone, Traer, Warner, Williams, Wright of Allamakee, and Wright of Sac—34.

So the amendments were adopted.

Mr. Parsons moved to further amend as follows :

“That said grant shall in no way affect the claim of the State, or any party claiming under the State, to any lands under an act of Congress passed September 28th, 1850, entitled an act to enable the State of Arkansas, and other States to reclaim the Swamp Land within their limits, and the acts supplementary to or amendatory thereof—

*And provided further :* That any Railroad Company receiving said lands, or any portion thereof, shall at all times be subject to such rules, regulations, and rates of tariff, for transportations of freights and passengers, as may from time to time be prescribed by the General Assembly of the State of Iowa, and that no portion of said lands shall be patented or certified to said Railroad Company, until it shall have filed in the office of the Secretary of State, of the State of Iowa, an acceptance evidence by the signature of the President and Secretary of said Company, with the corporate seal thereof of the terms and conditions of said grant as herein stated.

On its adoption Messrs Parsons and Applegate demanded the yeas and nays which were as follows :

The yeas were—

Messrs. Applegate, Beatty, Bonewitz, Brown of Fayette, Bundy, Butterfield, Carpenter, Carver, Dickerson, Dudley, Durham, Harrington, Hartshorn, Hopkins, Hopkirk, Lee, Lommen, Mahin, Merritt, Miles of Washington, Millard, Murdock, Parsons, Pratt, Sater, Spencer, Swan, Taylor, Teale, Tufts, Wilson, and Wood—32.

The nays were—

Messrs. Bigger, Brown of Van Buren, Butler, Cutts, Day, DeGroat, Elbert, Evans, Faville, Gibbons, Harrison, Hood, Huff, Keables, Ketcham, Lacey, Marks, Miller, Miracle, Newbold, Norris, Rosser, Russell, Sanborn, Satterthwaite, Stutsman, Tait, Toliver, Wasson, and Mr. Speaker—30.

Absent or not voting—

Messrs. Arnold, Ball, Bell, Beresheim, Butler, Campbell, Christoph, Crawford, Dumont, Dunne, Green, Harper, Hartenbower, Haycock, Hirschler, Hobson, Hunter, Irish, Jones, Kasson, McCoun, McGavren, Miles of Wayne, Mills, Morrison, Noel, O'Donnell, Rogers, Rohlf, Rowell, Snow, Stanchfield, Stewart, Stone, Traer, Warner, Williams, Wright of Allamakee, and Wright of Sac—38.

So the amendment was adopted.

The resolution as amended was adopted.

On motion of Mr. Sater the House adjourned until 8 o'clock,

A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
April 18, 1870—EIGHT O'CLOCK A. M. }

House met pursuant to adjournment.

Speaker in the chair.

Mr. Tufts moved that the reading of the Journal of yesterday be dispensed with.

The motion prevailed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the House is asked :

Senate File No. 254, A bill for an act establishing fees in the office of the Register of the State Land Office.

I also return herewith House File No. 63, A bill for an act to amend chapter 124 of the Revision of 1860, relative to attachment and garnishment, with an amendment by striking out the 3d clause, in which the concurrence of the House is asked.

I am also directed to inform your honorable body that the Senate has concurred in House amendments to Senate File No. 205, and Senate File No. 253.

J. A. T. HULL,  
*First Assistant Secretary.*

Mr. Parsons moved a call of the House, which was seconded.

Mr. DeGroat moved that further proceedings under the call be suspended.

Senate File No. 289, A bill for an act to legalize the organization of the independent school district of Esigate, Jackson county, was taken up and read a first and second time and ordered engrossed.

On motion of Mr. DeGroat, the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Crawford, DeGroat, Dudley, Durham, Evans, Harrington, Hartenbower, Hartshorn, Haycock, Hopkins, Hopkirk, Irish, Jones, Keables, Ketcham, Lommen, Mahin, Marks, Merritt, Millard, Miller, Morrison, Murdock, Newbold, Norris, Parsons, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Stewart, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—55.

The nays were none.

Absent or not voting—

Messrs. Beresheim, Bigger, Bonewitz, Brown of Van Buren, Carpenter, Christoph, Cutts, Day, Dickerson, Dumont, Dunne, Elbert, Faville, Gibbons, Green, Harper, Harrison, Hirschler, Hobson, Hood, Huff, Hunter, Kasson, Lacey, Lee, McCoun, McGavren, Miles of Washington, Miles of Wayne, Mills, Miracle, Noel, O'Donnell, Pratt, Rogers, Rohlf, Russell, Snow, Spencer, Stanchfield, Traer, Warner, Williams, Wood, and Wright of Sac—45.

So the bill passed and the title was agreed to.

Senate File No. 250, A bill for an act in relation to certain taxes in the independent school district of Tipton, was taken up and considered, and ordered engrossed.

On motion of Mr. Tufts, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Brown of Fayette, Bundy, Butler, Butterfield, Campbell, Carver, Crawford, DeGroat, Dickerson, Dudley, Durham, Evans, Harper, Harrington, Harrison, Hartshorn, Haycock, Hopkins, Hopkirk, Keables, Ketcham, Lommen, Mahin, Marks, Merritt, Millard, Murdock, Newbold, Norris, Parsons, Rosser, Rowell, Sater, Satterthwaite, Spencer, Stewart, Stone, Stutsman, Swan, Tait, Teale, Traer, Tufts, Wasson, Wilson, Wright of Allamakee, and Mr. Speaker—52.

The nays were—

Messrs. Crawford, and Hirschler—2.

Absent or not voting—

Messrs. Arnold, Beresheim, Bigger, Bonewitz, Brown of Van Buren, Carpenter, Christoph, Cutts, Day, Dumont, Dunne, Elbert, Faville, Gibbons, Green, Hobson, Hood, Huff, Hunter, Irish, Kasson, Lacey, Lee, McCoun, McGavren, Miles of Washington, Miles of Wayne, Miller, Mills, Miracle, Morrison, Noel, Pratt, Rogers, Rohlf, Russell, Sanborn, Snow, Spencer, Stanchfield, Taylor, Toliver, Warner, Williams, Wood, and Wright of Sac—46.

So the bill passed and the title was agreed to.

House File No. 63, A bill for an act to amend chapter 124, of the Revision of 1860, relative to attachment and garnishment, was taken up and considered.

The question being on concurring in the Senate amendment, the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Brown of Fayette, Bundy, Butler, Campbell, Carver, Crawford, Dickerson, Dudley, Durham, Evans, Harper, Harrington, Harrison, Hartenbower, Haycock, Hopkins, Hopkirk, Jones, Keables, Ketcham, Lacey, Lee, Lommen, Mahin, Merritt, Miles of Washington, Millard, Miller, Newbold, Norris, Parsons, Pratt, Rosser, Rowell, Sanborn,

Spencer, Stanchfield, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Tufts, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—52.

The nays were none.

Absent or not voting—

Messrs. Beresheim, Bigger, Bonewitz, Brown of Van Buren, Butterfield, Carpenter, Christoph, Cutts, Day, DeGroat, Dumont, Dunne, Elbert, Faville, Gibbons, Green, Hartshorn, Hirschler, Hobson, Hood, Huff, Hunter, Irish, Kasson, Marks, McCoun, McGavren, Miles of Wayne, Mills, Miracle, Morrison, Murdock, Noel, O'Donnell, Rogers, Rohlf, Russell, Sater, Satterthwaite, Snow, Stone, Toliver, Traer, Warner, Wasson, Williams, Wilson, and Wood—48.

So the amendment was concurred in.

Substitute for Senate File No. 96, A bill for an act to repeal section 1097, of the Revision of 1860, and to enact a substitute therefor, was taken up and considered, and ordered engrossed.

On motion of Mr. Rowell, the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Arnold, Ball, Beatty, Bell, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Harrington, Hartenbower, Hopkins, Hopkirk, Jones, Lee, Mahin, Marks, Merritt, Miles of Washington, Millard, Noel, Norris, Parsons, Pratt, Rosser, Rowell, Sanborn, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Taylor, Teale, Traer, Tufts, Wasson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—55.

The nays were—

Messrs. Applegate, Beresheim, Bigger, Dickerson, Dudley, Harrison, Haycock, Lommen, Morrison, Sater, and Spencer—11.

Absent or not voting—

Messrs. Bonewitz, Day, DeGroat, Dumont, Dunne, Durham, Elbert, Evans, Faville, Gibbons, Green, Harper, Haycock, Hirschler, Huff, Hunter, Kasson, Lacey, McCoun, McGavren, Miles of Wayne, Miller, Mills, Miracle, Morrison, Murdock, O'Donnell, Rogers, Russell, Stewart, Stone, Toliver, Warner, Williams, Wilson, and Wood—34.

So the bill passed and the title was agreed to.

Senate File No. 219, A bill for an act to reimburse Captain R. L. Freeman, &c., was taken up and considered, and ordered engrossed.

On motion of Mr. Millard, the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Ball, Bell, Bereshiem, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carver, Crawford, Cutts, DeGroat, Dickerson, Dudley, Durham, Evans, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hobson, Hood, Hopkins, Hopkirk, Hunter, Irish, Jones, Keables, Ketcham, Lee, Lommen, Mahin, Marks, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rohlf, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—69.

The nays were—

Mr. Beatty—1.

Absent or not voting—

Messrs. Arnold, Bonewitz, Carpenter, Christoph, Day, Dumont, Dunne, Elbert, Faville, Gibbons, Harrison, Hirschler, Huff, Kasson, Lacey, McCoun, McGavren, Miles of Wayne, Mills, Murdock, O'Donnell, Rogers, Russell, Stanchfield, [Stone, Traer, Warner, Wasson, Williams, and Wood—30.

So the bill passed and the title was agreed to.

House File No. 362, A bill for an act in relation to commercial paper was taken up and considered.

On motion of Mr. Brown of Van Buren, the bill was laid on the table.

Mr. Brown of Van Buren moved that the vote be reconsidered.

The motion prevailed.

Mr. Lacey moved to amend by striking out the words "without any days of grace," and insert "three days of grace shall be allowed thereon."

The amendment was adopted.

The bill was ordered to be engrossed.

On motion of Mr. Harper the rule was suspended and the bill read a third time.

Upon the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Crawford, Cutts, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hirschler, Hobson, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Ketcham, Lacey, Lee, Lommen, Marks, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rosser, Rowell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stewart, Stutsman, Tait, Taylor, Teale, Toliver,



Traer, Wilson, Wright of Allamakee, Wright of Sac, and Mr. Speaker—73.

The nays were—

Messrs. Elbert, Harrison, Mahin—3.

Absent or not voting—

Messrs. Bonewitz, Christoph, Day, DeGroat, Dumont, Dunne, Green, Kasson, Keables, McCoun, McGavren, Miles of Wayne, Mills, O'Donnell, Rohlf, Russell, Stanchfield, Stone, Swan, Tufts, Warner, Wasson, Williams, and Wood—24.

So the bill passed and the title was agreed to.

House File No. 338, A bill for an act fixing the Compensation of Officers, and Employees of future General Assemblies, was taken up and considered, and ordered engrossed.

On motion of Mr. Pratt, the rule was suspended and the bill read a third time now.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Arnold, Ball, Beatty, Bell, Beresheim, Bigger, Brown of Van Buren, Bundy, Butler, Butterfield, Campbell, Carpenter, Carver, Christoph, Cutts, DeGroat, Dickerson, Dudley, Durham, Evans, Faville, Gibbons, Harper, Harrington, Harrison, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Mahin, Marks, Merritt, Miles of Washington, Millard, Miller, Miracle, Morrison, Murdock, Newbold, Noel, Norris, Pratt, Rogers, Rohlf, Rosser, Rowell, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stone, Stutsman, Swan, Tait, Teale, Toliver, Traer, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—77.

The nays were none.

Absent or not voting.

Messrs. Bonewitz, Brown of Fayette, Crawford, Day, Dumont, Dunne, Elbert, Green, Hirschler, Hobson, Hunter, Lee, McCoun, McGavren, Miles of Wayne, Mills, O'Donnell, Parsons, Russell, Sanborn, Taylor, Tufts, and Williams—23.

So the bill passed and the title was agreed to.

Mr. Wilson moved to reconsider the vote by which the resolutions in relation to the Des Moines River Lands were adopted.

Mr. Applegate moved to lay the motion to reconsider on the table.

The motion did not prevail.

The motion to reconsider prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate :

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following:

Substitute for resolution appointing Orphan's Home Trustees.

C. V. GARDNER,

*Asst. Secretary.*

Mr. Wilson moved to reconsider the vote by which the amendments were adopted.

Mr. Stanchfield moved that a Committee be appointed to inform the Senate that the House was ready to meet them in joint convention.

The motion prevailed.

Messrs. Stanchfield and Irish were appointed said Committee.

The Committee reported having performed the duty assigned them, and thereupon the Senate entered the hall and took the seats assigned them.

#### JOINT CONVENTION.

The President of the Convention announced the objects of the joint convention.

Mr. Stone moved that the Convention proceed to elect Capitol Commissioners.

The motion prevailed.

The President announced as Teller on the part of the Senate, Senator Beardsley, and as Teller on the part of the House, Mr. Tufts, of Cedar.

The following persons were nominated for said Commissioners:

3d Congressional District, S. W. Mitchell.

" " " Jas. O. Crosby.

6th " " W. L. Joy.

5th " " J. N. Dewey.

2d " " Simon G. Stein.

1st " " James Dawson.

4th " " Charles Dudley.

Mr. Parsons moved that the Convention proceed to elect by Congressional districts.

The motion prevailed.

Mr. Gibbons nominated Gibson Browne as Commissioner from the First Congressional District.

The Clerk proceeded to call the roll for Commissioner for the First Congressional District, with the following result:

Whole number of votes cast.....	131
Necessary to a choice.....	66
Of which James Dawson received.....	117
And Gibson Brown received.....	14

Mr. James Dawson was therefore declared duly elected Commissioner from the First Congressional District.

Those voting for James Dawson were—

Messrs. Allen, Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bigger, Bill, Brown of Fayette, Brown of Van Buren, Bulis, Bundy, Butterfield, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Day, Dickerson, Dixon, Donnan, Dudley, Durham, Dysart, Elbert, Evans, Faville, Green, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartshorn, Havens, Hawley, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Johnson, Kasson, Keables, Ketcham, Keller, Lacey, Larrabee, Lee, Lommen, Long, Lowry, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Millard, Miller, Mitchell, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Patterson, Pierce, Pratt, Rogers, Rosser, Rowell, Sanborn, Satterthwaite, Smyth, Snow, Stewart, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Tufts, Vale, Warner, Wasson, West, Wilson, Wolf, Wood, Wright of Lucas, Wright of Sac—117.

Those voting for Gibson Brown were—

Messrs. Bell, Crawford, DeGreat, Dunham, Fairall, Gibbons, Hartenbower, Hirschler, Hood, Irish, Knoll, McCulloch, Mills, O'Donnell—14.

The Clerk proceeded to call the roll for Commissioner for the Second Congressional District, Mr. S. G. Stein being in nomination, with the following result:

Whole number of votes cast.....	116
Necessary to a choice.....	59
Of which S. G. Stein received.....	114
Scattering.....	2

Mr. S. G. Stein was thereupon declared duly elected Commissioner from the Second Congressional District.

Those voting for S. G. Stein were—

Messrs. Allen, Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bigger, Bill, Brown of Fayette, Brown of Van Buren, Butterfield, Butler, Campbell of Guthrie, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Cutts, Day, Dickerson, Dixon, Donnan, Durham, Dysart, Elbert, Evans, Fairall, Faville, Green, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartson, Havens, Hawley, Haycock, Hobson, Hopkins, Huff, Hunter, Hurley, Ireland, Johnson, Kasson, Keables, Keller, Ketcham, Knoll, Lacey, Larrabee, Lee, Lommen, Long, Lowry, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Millard, Miller, Miracle, Mitchell, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, O'Donnell,

Parsons, Pierce, Pratt, Rogers, Rohlf, Rosser, Rowell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stone, Stewart, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Tufts Tuttle, Vale, Vermillion, Wasson, West, Wilson, Wolf, Wood, Wright of Lucas, Wright of Sac—114.

Mr. O'Donnell withdrew the name of George W. Mitchell, for 3d Congressional District.

The Clerk proceeded to call the roll for Commissioner for the 3d Congressional District, Mr. J. O. Crosby being in nomination, with the following result :

Whole number of votes cast.....	102
Necessary to a choice.....	58
Of which J. O. Crosby received.....	98
Scattering.....	14

Mr. J. O. Crosby having received a majority of all the votes cast, was declared duly elected Commissioner from the Third Congressional District.

Those voting for Mr. Crosby were—

Messrs. Allen, Applegate, Arnold, Ball, Beardsley, Beatty, Bennett, Beresheim, Bigger, Bill, Brown of Fayette, Brown of Van Buren, Bulis, Butterfield, Butler, Campbell of Guthrie, Carpenter, Carver, Cathcart, Chapin, Claussen, Crawford, Cutts, Day, DeGroat, Dickerson, Donnan, Dudley, Durham, Dysart, Elbert, Evans, Fairall, Faville, Gibbons, Green, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartshorn, Havens, Hawley, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Irish, Jones, Keables, Keller, Ketcham, Lacey, Larrabee, Lee, Lommen, Long, Lowry, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Mitchell, Moore, Morrison, Mulkern, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Pierce, Pratt, Rohlf, Roseer, Rowell, Russell, Sanborn, Sater, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Teale, Toliver, Traer, Vale, Wasson, West, Wilson, Wolf, Wood, Wright of Lucas, Wright of Sac—98.

Mr. Fairall nominated Peter G. Dye, of Johnson county.

The Clerk proceeded to call the roll for the Fourth Congressional District, Mr. Peter G. Dye and Mr. Charles Dudley being in nomination, with the following result :

Whole number of votes cast.....	117
Necessary to a choice.....	59
Of which Charles Dudley received.....	88
Of which Peter G. Dye received.....	19

Mr. Charles Dudley was thereupon declared duly elected Commissioner from the Fourth Congressional District.

Those voting for Mr. Dudley were—

Messrs. Arnold, Ball, Beardsley, Beatty, Bersheim, Bill, Brown of Fayette, Brown of Van Buren, Campbell of Guthrie, Carpenter, Carver, Cathcart, Chapin, Cotton, Cutts, Dickerson, Dixon, Dunham, Dysart, Elbert, Evans, Faville, Green, Grimes, Hamilton, Harper, Harrington, Harrison, Havens, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Kasson, Keller, Ketcham, Lacy, Larrabee, Lee, Lommen, Long, Lowry, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Millard, Miller, Mitchell, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Patterson, Pierce, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stone, Stewart, Stutsman, Swan, Tait, Teale, Traer, Tufts, Vermillion, Wasson, West, Wilson, Wood, Wright of Lucas, and Wright of Sac—88.

Those voting for Peter G. Dye were—

Messrs. Allen, Applegate, Bell, Butler, Crawford, DeGroat, Dunham, Fairall, Gibbons, Irish, Knoll, Mills, Moore, O'Donnell, Pratt, Rogers, Snow, Taylor, Tolliver, and Wolf—19.

The Clerk proceeded to call the roll for Commissioner for the Fifth Congressional District, Mr. J. N. Dewey being in nomination with the following result:

Whole number of votes cast.....	88
Necessary to a choice .....	45
Of which J. N. Dewey received.....	87
Scattering.....	1

Mr. J. N. Dewey was thereupon declared duly elected Commissioner from the Fifth Congressional District.

Those voting for J. N. Dewey were—

Messrs. Allen, Applegate, Atkins, Ball, Beardsley, Beatty, Bersheim, Bigger, Bill, Brown of Fayette, Brown of Van Buren, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Day, Dickerson, Dixon, Durham, Dysart, Elbert, Evans, Faville, Green, Grimes, Hamilton, Harper, Harrington, Harrison, Hawley, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Johnson, Kasson, Keables, Keller, Ketcham, Lacey, Larrabee, Lee, Lommen, Long, Lowry, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Mitchell, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Pierce, Pratt, Rice, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Tolliver, Traer, Traverse, Tufts, Vermillion, Wasson, West, Wilson, Wolf, Wood, Wright of Lucas, Wright of Sac.—87.

Scattering.—1.

The Clerk proceeded to call the roll for Commissioner from the Sixth Congressional District, W. L. Joy being in nomination, with the following result :

Whole number of votes cast,.....	91
Necessary to a choice,.....	46
Of which, W. L. Joy received.....	91

Mr. W. L. Joy was therefore declared duly elected Commissioner from the 6th Congressional District.

Those voting for W. L. Joy were—

Messrs, Allen, Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bell, Bennett, Beresheim, Bigger, Bill, Bonewitz, Brown of Fayette, Brown of Van Buren, Butterfield, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Dickerson, Dixon, Donnan, Dudley, Durham, Dysart, Elbert, Evans, Fairall, Faville, Green, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hawley, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Jones, Kasson, Keables, Keller, Ketcham, Lacey, Larrabee, Lee, Lommen, Long, Lowry, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle, Mitchell, Moore, Morrison, Murdock, Murray, Newbold, Newell, Noel, Norris, Parsons, Patterson, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stutsman, Swan, Stewart, Tait, Taylor, Teale, Traer, Traverse, Tufts, Tuttle, Wasson, West, Wilson, Wolf, Wright of Lucas, Wright of Sac—91.

Mr. Parsons moved that the Convention proceed to elect Regents of the State University.

The motion prevailed and nominations were made as follows :

1st Congressional District, Christian W. Slagle.

2d Congressional District, John McKean.

3d Congressional District, H. C. Bulis.

4th Congressional District, James Wilson, John P. Irish.

5th Congressional District, W. W. Merritt.

6th Congressional District, Delos Arnold.

Senator, Bennett moved to call the roll for all the districts except the 4th at once.

The motion prevailed.

The Clerk then proceeded to call the roll under the motion of Senator Bennett.

Whole number of votes cast.....	92
Necessary to a choice.....	47
Christian W. Slagle received.....	92
John McKean received.....	92
H. C. Bulis received.....	92
W. W. Meritt received.....	92
Delos Arnold .....	92

Thereupon Messrs. Christian W. Slagle, John McKean, H. C. Bulis, W. W. Merritt, and Delos Arnold, were declared duly elected Regents of the State University.

Those voting for Christian W. Slagle, John McKean, H. C. Bulis, W. W. Merritt, and Delos Arnold. were—

Messrs. Allen, Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bennett, Beresheim, Bigger, Bill, Brown of Fayette, Brown of Van Buren, Butterfield, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Couch, Cutts, Dickerson, Dixon, Donnan, Dudley, Durham, Dysart, Elbert, Evans, Fairall, Faville, Fellows, Green, Griffith, Grimes, Hamilton, Harper, Harrington, Harrison, Hartshorn, Havens, Hawley, Haycock, Hobson, Hopkins, Hopkirk, Huff, Hunter, Hurley, Ireland, Irish, Jones, Johnson, Kasson, Keables, Keller, Ketcham, Knoll, Lacey, Larrabee, Lee, Long, Lowry, Mahin, Marks, McGavren McKean, McNutt, Merritt, Miles of Washington, Miles of Wayne, Millard, Miller, Miracle Mitchell, Moore, Morrison, Murdock Murray, Newbold, Newell, Noel, Norris, O'Donnell, Parsons, Patterson, Pierce, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Stewart, Satterthwaite, Smyth, Snow, Spencer, Stanchfield, Stone, Stutsman, Swan, Tait, Taylor, Toliver, Traer, Traverse, Tufts, Tuttle, Vale, Vermillion, Wasson, West, Wilson, Wolf, Wood, Wright of Lucas, and Wright of Sac—92.

The Clerk then proceeded to call the roll for Regent from the 4th Congressional District, Messrs. James Wilson and John P. Irish being in nomination, with the following result :

Whole number of votes cast.....	128
Necessary to a choice.....	65
Of which James Wilson received.....	74
Of which John P. Irish received.....	54

Thereupon, Mr. James Wilson was declared duly elected Regent of the State University from the 4th Congressional District.

Those voting for Mr. Wilson were—

Messrs. Applegate, Arnold, Ball, Beardsley, Beatty, Bennett, Beresheim, Bigger, Bill, Brown of Fayette, Bulis, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Cotton, Couch, Cutts, Dixon, Dudley, Dunham, Durham, Dysart, Evans, Grimes, Hamilton, Harrington, Havens, Hawley, Haycock, Hunter, Hurley, Ireland, Irish, Keables, Ketcham, Lacey, Larrabee, Lommen, Long, Lowry, McGavren, McKean, McNutt, Millard, Miller, Mitchell, Moore, Morrison, Murdock, Newell, Norris, Parsons, Pierce, Rosser, Russell, Sanborn, Sater, Smyth, Snow, Stanchfield, Stewart, Stone, Stutsman, Tait, Teale, Traer, Traverse, Tufts, Tuttle, Warner, Wasson, West, Wright of Lucas, and Wright of Sac—74.

Those voting for Mr. Irish were—

Messrs. Allen, Atkins, Bell, Brown of Van Buren, Butler Claussen, Crawford, Day, DeGroat, Dickerson, Dunham, Elbert, Fairall, Faville, Fellows, Gibbons, Green, Griffith, Harrison, Hartenbower, Hartshorn, Hirschler, Hopkins, Hood, Hopkirk, Huff, Jones, Kasson, Keller, Knoll, Mahin, Marks, McCulloch, Merritt, Miles of Washington, Mills, Miracle, Murray, Newbold, Noel, O'Donnell, Patterson, Pratt, Rogers, Rohlf, Rowell, Satterthwaite, Swan, Taylor, Toliver, Wilson, Wolf, Wood, and Wright of Allamakee—54.

The Convention then proceeded to the election of Trustees for the Agricultural College and Farm.

The following were nominated as such Trustees :

Fourth Judicial District—

Washington Allen.

Fifth Judicial District—

G. F. Kilburn.

Sixth Judicial District—

J. H. Bacon.

Eighth Judicial District—

O. O. Stanchfield.

Eleventh Judicial District—

I. J. Mitchell.

Twelfth Judicial District—

C. W. Tenney.

Senator Wright moved that one roll call be had for all the Trustees.

The motion prevailed.

The Clerk proceeded to call the roll on the foregoing nominations, with the following result :

Whole number of votes cast.....	79
Necessary to a choice.....	40
Washington Allen received.....	79
G. F. Kilburn received.....	79
J. H. Bacon received.....	79
O. O. Stanchfield received.....	79
I. J. Mitchell received.....	79
C. W. Tenney received.....	79

Thereupon, Messrs. Allen, Kilburn, Bacon, Stanchfield, Mitchell, and Tenney were declared duly elected as Trustees as aforesaid.

Those voting for the Trustees aforesaid, were—

Messrs. Allen, Applegate, Arnold, Atkins, Ball, Beardsley, Beatty, Bell, Bennett, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Butler, Campbell of Guthrie, Campbell of Jasper, Carpenter, Carver, Cathcart, Chapin, Claussen, Cotton, Dickerson, Dixon, Dudley, Durham, Dysart, Faville, Griffith,



Grimes, Harper, Harrison, Havens, Haycock, Hopkins, Hopkirk, Huff, Ireland, Jones, Keables, Ketcham, Lacey, Lommen, Long, Mahin, Marks, McGavren, McKean, McNutt, Merritt, Millard, Miracle, Moore, Murdock, Murray, Newbold, Noel, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Smyth, Snow, Spencer, Stutsman, Swan, Taylor, Toliver, Traer, Tufts, Warner, Wasson, West, Wolf, Wood, Wright of Lucas, Wright of Sac.—79.

The following certificates were then read and signed in the presence of the Joint Convention.

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13, 1870. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D. 1870, for the purpose of electing six Commissioners under the act to provide a State Capitol, James Dawson, Washington county, having received a majority of all the votes cast for said office, was declared duly elected as Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*  
AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13th, 1870. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D. 1870, for the purpose of electing six Commissioners under the act to provide a State Capitol, Simon G. Stein, Muscatine, having received a majority of all the votes cast for said office, was duly declared elected as Commissioner for the term of two years from and after the expiration of the term

of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on the 13th day of April, A. D. 1870, for the purpose of electing a Board of Capitol Commissioners, J. O. Crosby, of Clayton county, having received a majority of all the votes cast for said office, was declared duly elected as Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*Lt. Gov. and President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

J. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of April, A. D. 1870, for the purpose of electing six Commissioners under an act to provide a State Capitol, Charles Dudley, of Wapello, having received a majority of all the

votes cast for said office, was declared duly elected as Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

A. R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D. 1870, for the purpose of electing six Commissioners, under the act to provide a State Capitol, Col. J. N. Dewey, of Des Moines, having received a majority of all the votes cast for said office, was declared duly elected as Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

A. R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL,  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D. 1870, for the purpose of

electing six Commissioners, under the act to provide a State Capitol Wm. L. Joy, of Sioux City, having received a majority of all the votes cast for said office, was declared duly elected as Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST :

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL. }  
Des Moines, Iowa, April 13, 1870. }

*This is to certify* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D. 1870, for the purpose of electing a Board of Regents for the State University, Christian W Slagle, of Fairfield, having received a majority of all the votes cast for said office, was declared duly elected as Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST :

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 13, 1870. }

*This is to certify*, That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on

Wednesday, the 18th day of April, A. D. 1870, for the purpose of electing a Board of Regents for State University, John, McKean, of Jones, having received a majority of all the votes cast for said office, was declared duly elected as Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS,  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of April, A. D. 1870, for the purpose of electing a Board of Regents of State University, Hon. H. C. Bulis, of Decorah, having received a majority of all the votes cast for said office, was declared duly elected as Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of April, A. D. 1870.

M. M. WALDEN,  
*President of the Senate.*

AYLETT R. COTTON,  
*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,  
*Teller of the Senate.*

JNO. Q. TUFTS.  
*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on

Wednesday, the 13th day of April, A. D, 1870, for the purpose of electing a Board of Regents of State University, James Wilson, of Tama, having received a majority of all the votes cast for said office, was declared duly elected as Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST :

CHARLES BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D., 1870, for the purpose of electing a Board of Regents for State University, Hon. W. W. Meritt, of Red Oak Junction, having received a majority of all the votes cast for said office, was declared duly elected as Regent, for the term of two years from and after the expiration of the present incumbent, and until his successor is elected and qualified

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST :

CHARLES BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention on Wednesday, the 13th day of April A. D., 1870, for the purpose o

electing a Board of Regents for State University, Hon. Delos Arnold, Marshalltown, having received a majority of all the votes cast for said office, was declared duly elected as Regent for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D., 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D., 1870, for the purpose of electing a Board of Trustees for Agricultural College, Washington Allen, Sac county, having received a majority of all the votes cast for said office, was declared duly elected as Trustee, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

C. BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D., 1870, for the purpose of

electing a Board of Trustees of the Agricultural College, G. F. Kilburn, of Adair, having received a majority of all the votes cast for said office, was declared duly elected as Trustee, for the term of two years from and after the expiration of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D., 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

C. BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D., 1870, for the purpose of electing a Board of Trustees to the Agricultural College, I. H. Bacon, having received a majority of all the votes cast for said office, was declared duly elected as Trustee, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

C. BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL, }  
Des Moines, Iowa, April 13, 1870, }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 13th day of April, A. D., 1870, for the purpose of



electing a Board of Trustees of Agricultural College. O. O. Stanchfield, of Linn, having received a majority of all the votes cast for said office, was declared duly elected as Trustee for the term of two years from and after the expiration of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

C. BEARDSLEY,

*Teller of the Senate.*

JNO Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL,

Des Moines, Iowa, April 13, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 13th day of April, A. D., 1870, for the purpose of electing a Board of Trustees for Agricultural College. Charles W. Tenney, Cerro Gordo Co., having received a majority of votes cast for said office, was declared duly elected as Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D., 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON,

*Speaker of the House of Representatives.*

ATTEST:

C. BEARDSLEY,

*Teller of the Senate.*

JNO. Q. TUFTS,

*Teller of the House of Representatives.*

REPRESENTATIVE HALL,

Des Moines, Iowa, April 13th, 1870. }

*This is to certify,* That at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 13th day of April, A. D., 1870, for the purpose of

electing a Board of Trustees for Agricultural College. I. J. Mitchell, Boone Co., having received a majority of all the votes cast for said office, was declared duly elected as Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of April, A. D. 1870.

M. M. WALDEN,

*President of the Senate.*

AYLETT R. COTTON.

*Speaker of the House of Representatives.*

ATTEST:

CHARLES BEARDSLEY,

*Teller of the Senate.*

JOHN Q. TUFTS,

*Teller of the House of Representatives.*

Mr. Irish moved that the joint convention do now dissolve.

The motion prevailed, and the convention dissolved.

The speaker called the House to order.

Mr. Green introduced House File No. 878, A bill for an Act to provide for the reference and publication of proposals to amend the Constitution of the State of Iowa.

The bill was read a first a second time and ordered engrossed.

On motion of Mr. Green the rule was suspended and the bill read a third time.

On the question, shall "the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Beatty, Beresheim, Bigger, Brown of Fayette, Campbell, Carpenter, Carver, Day, Dickerson, Dudley, Durham, Elbert, Evans, Green, Harrington, Hartenbower, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Irish, Jones, Kasson, Keables, Ketcham, Lacey, Lommen, Marks, Merritt, Miles of Washington, Millard, Miller, Morrison, Murdock, Newbold, Noel, Norris, Parsons, Rogers, Rosser, Rowell, Russell, Sanborn, Sater, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Messrs. Ball, Brown of Van Buren, DeGroat, Mills, O'Donnell, Teale—6.

Absent or not voting—

Messrs. Bell, Bonewitz, Butler, Butterfield, Christoph, Crawford, Cutts, Dumont, Dunne, Faville, Gibbons, Harrison, Hartshorn, Hirschler, Hobson, Lee, McCoun, McGavren, Miles of Wayne, Miracle, Pratt, Rohlf, Stewart, Stone, Taylor, and Williams—26.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your Honorable Body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked:

Concurrent resolution in reference to Secretary of State to forward documents to members of the Thirteenth General Assembly.

Concurrent resolution in reference to instructing the Secretary of State to forward all volumes of the Supreme Court reports which may be issued, to members of the Thirteenth General Assembly.

I am also instructed to inform your honorable body that the Senate has passed the following joint resolutions and bills, without amendment.

Joint resolution providing for the distribution of the Adjutant-General's reports.

Joint resolution relating to land selections made by agents of the State subsequent to March 3d, 1859.

House File No. 312, A bill for an act to amend section 7, chapter 169, of the laws of the Ninth General Assembly.

House File No. 284, A bill for an act providing for additional fees for Sheriffs, Constables, and other persons in criminal cases.

House File No. 272, A bill for an act making appropriations for the payment of salaries of the State, and Judicial officers, interest on the State Bonds, and for other State purposes therein mentioned.

Substitute for House File No. 122, A bill for an act to repeal chapter 81, of the revision of 1860, and to regulate the sale of unclaimed goods in the possession of forwarding and commission merchants, warehousemen, and any other depositories, express companies and other common carriers; also, that the Senate has concurred in House resolution in relation to pay of blind.

Senate File No. 255, A bill for an act to supply a deficiency in a certain appropriation for the employees of the 13th General Assembly.

C. V. GARDNER, *Ass't. Sec'y.*

The question being on the amendment to the Des Moines River land grant, Mr. Applegate moved to lay the resolution on the table. The motion did not prevail.

Mr. Kasson by leave, introduced a concurrent resolution, that J. P. Ketcham, of Fourth Congressional District, and M. A. Dashiell, of the Fifth Congressional District, be elected Trustees of the State Reform School for six years.

The resolution was adopted.

Senate File No. 255, A bill for an act to supply a deficiency in a

certain appropriation for employees of the Thirteenth General Assembly.

Read a first and second time and ordered engrossed.

On motion of Mr. Kasson the rule was suspended and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Bell, Beresheim, Bigger, Brown of Fayette, Brown of Van Buren, Bundy, Butterfield, Campbell, Carver, Cutts, Dickerson, Dudley, Durham, Elbert, Evans, Green, Harper, Harrington, Hartenbower, Hartshorn, Haycock, Hood, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Mahin, Marks, McGavren, Merritt, Miles of Washington, Miller, Morrison, Newbold, Noel, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Satterthwaite, Snow, Spencer, Stanchfield, Stewart, Stutsman, Tait, Toliver, Traer, Tufts, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—64.

The nays were—

Mr. O'Donnell—1.

Absent or not voting—

Messrs. Beatty, Bonewitz, Butler, Carpenter, Christoph, Crawford, Day, DeGroat, Dumont, Dunne, Faville, Gibbons, Harrison, Hartshorn, Hirschler, Hobson, Irish, Lacey, Lee, Lommen, McCoun, Miles of Wayne, Millard, Mills, Miracle, Murdock, Sater, Stone, Swan, Taylor, Teale, Warner, Wasson, Williams, and Wilson—35.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 27, A bill for an act to change the time of the meeting of the Board of Trustees of the Iowa State Agricultural College and Farm, and for other purposes, was read a first and second time and ordered engrossed.

On motion of Mr. Stanchfield, the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows:

The yeas were—

Messrs. Applegate, Arnold, Ball, Beresheim, Bigger, Bonewitz, Brown of Fayette, Brown of Van Buren, Bundy, Campbell, Carpenter, Carver, Cutts, Day, DeGroat, Dickerson, Durham, Hartenbower, Haycock, Hopkins, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Mahin, Marks, Merritt, Millard, Miller, Morrison, Newbold, Norris, O'Donnell, Parsons, Rogers, Rohlf, Rosser, Rowell, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Teale, Toliver, and Traer—55.

The nays were—

Messrs. McGavren and Mills—2.

Absent or not voting—

Messrs. Beatty, Bell, Butler, Butterfield, Christoph, Crawford, Dudley, Dumont, Dunne, Elbert, Evans, Faville, Gibbons, Green, Harper, Harrington, Harrison, Hartshorn, Hirschler, Hobson, Hood, Irish, Lee, Lommen, McCoun, Miles of Washington, Miles of Wayne, Miracle, Murdock, Noel, Pratt, Stewart, Stone, Taylor, Tufts, Warner, Wasson, Wilson, Williams, Wood, Wright of Allamakee, Wright of Sac, and Mr. Speaker—48.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body, that the Senate has passed the following bill without amendment :

House File No. 373, A bill for an act for due reference and publication of proposals to amend the Constitution of the State of Iowa.

C. V. GARDNER, *Ass't. Secretary.*

Mr. Rogers moved to postpone the resolutions and amendments until July 4th, 1870.

The motion prevailed.

Mr. Carver moved to take up Senate File No. 241, A bill for an act for the relief of Joseph W. Caldwell.

The motion prevailed.

The bill was read a first and second time and ordered engrossed.

On motion of Mr. Carver, the rule was suspended, and the bill read a third time.

On the question, "shall the bill pass?" the yeas and nays were as follows :

The yeas were—

Messrs. Applegate, Ball, Beatty, Bell, Beresheim, Brown of Fayette, Brown of Van Buren, Butterfield, Campbell, Carver, Cutts, Day, Dudley, Evans, Faville, Green, Harrington, Hartenbower, Haycock, Hopkirk, Huff, Hunter, Jones, Kasson, Keables, Ketcham, Lacey, Mahin, Marks, McGavren, Merritt, Millard, Morrison, Murdock, Newbold, Norris, Parsons, Pratt, Rogers, Rohlf, Rosser, Russell, Sanborn, Sater, Satterthwaite, Snow, Spencer, Stanchfield, Stutsman, Swan, Tait, Teale, Toliver, Traer, Tufts, Warner, Wasson, Wilson, Wood, Wright of Sac, and Mr. Speaker.—61.

In the negative—Mr. DeGroat.

Absent or not voting—

Messrs. Arnold, Bigger, Bonewitz, Bundy, Butler, Carpenter, Christoph, Crawford, Dickerson, Dudley, Dumont, Dunne, Durham, Elbert, Gibbons, Harper, Harrison, Hartshorn, Hirschler,

Hobson, Hood, Hopkins, Irish, Lee, Lommen, McCoun, Miles of Washington, Miles of Wayne, Miller, Mills, Miracle, Noel, O'Donnell, Rowell, Stewart, Stone, Taylor, Williams, and Wright of Al-lamakee—38.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following joint resolution without amendment :

Joint resolution in relation to the Onawa Branch of the Cedar Rapids and Missouri River Railroad.

C. V. GARDNER, *Ass't. Secretary.*

Mr. Wilson offered the following resolution, which was adopted unanimously :

*Resolved*, That Speaker Cotton be presented with the chair which he has so ably filled.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill without amendment :

House File No. 194, A bill for an act to amend section 4235, of the Revision of 1860.

House File No.—A bill for an act to prohibit the use of the lash in the Iowa Penitentiary.

House File No. 114, A bill for an act to amend chapter 61, of the Revision of 1860, concerning fences.

C. V. GARDNER, *Ass't. Secretary.*

Mr. Toliver from the Committee on Enrolled Bills made the following report :

MR. SPEAKER—The Committee on Enrolled Bills ask leave to report that they have examined the following bills and resolutions, and find the same correctly enrolled.

Joint resolution to the Onawa branch of the Cedar Rapids and Missouri River Railroad.

House File No. 373, A bill for an act to provide for due reference and publication of proposals to amend the Constitution of the State of Iowa.

House File No. 194, A bill for an act to amend section 4235 of the Revision of 1860.

House File No. 284, A bill for an act providing additional fees for sheriffs, constables, and others, in certain criminal cases.

House File, No. 312, A bill for an act to amend section seven, chapter one hundred and sixty-nine of the laws of the Ninth General Assembly.

House File No. 122, A bill for an act to repeal chapter 81 of the Revision of 1860, and to regulate the sale of unclaimed goods in the possession of forwarding and commission merchants, warehouse men, and any other depositories, express companies, and other common carriers.

House File No. 372, A bill for an act making appropriation for the payment of the salaries of the State and Judicial officers.

House File No. 119, A bill for an act to amend chapter 46 of the laws of the Tenth General Assembly of the State of Iowa.

Joint resolution for the distribution of the Adjutant-General's Reports.

Joint resolution relating to swamp land selections made by agents of the State subsequent to March 3d, 1857.

House File No. 304, A bill for an act to amend section 1187 of the Revision of 1860, relative to incorporations.

House File No. 269, A bill for an act to prevent and punish the adulteration of milk and cheese.

House File No. 63, A bill for an act to amend chapter 724 of the Revision of 1860, relative to attachment and garnishment.

Memorial to Congress praying for a grant of land to aid in the construction of a railroad therein named.

House File No. 79, A bill for an act for the more effectual prevention of cruelty to animals.

House File No. 17, A bill for an act to define the manner in which the re-survey of lands shall be made.

House File No. 262, A bill for an act relating to the acknowledgment and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing.

House File No. 64, A bill for an act to destroy Canada thistles.

House File No. 282, A bill for an act to amend the Registry law.

House File No. 337, A bill for an act to amend Section 3, of chapter 72, of the laws of the Eleventh General Assembly.

House File No. 310, A bill for an act to define the rights of church corporations, in the case of certain grants.

House File No. 368, A bill for an act to legalize the sale of certain school lands in Story county.

House File No. 371, A bill for an act making the Judges of the Supreme Court Library Commissioners.

House File No. 324, a bill for an act to legalize the laying out of roads under section 840, of the Revision of 1860.

House File No. 283, A bill for an act to increase the compensation of County Treasurers.

House File No. 213, A bill for an act to provide for the organization of the county of Crocker.

G. S. TOLIVER, *Chairman*.

Mr. Russell offered the following resolution which was adopted :

*Resolved*, That the clerks, sergeants-at-arms, door-keeper, messengers and paper folders of this House, and the postmaster and his assistants are entitled to and are hereby tendered the thanks of this House for their uniform courtesy, and for their promptness, efficiency, and impartiality with which they have discharged their several duties ; and we hereby tender to them respectively our sincere wishes for their future prosperity and welfare.

Mr. Kasson then addressed the Chair as follows :

MR. SPEAKER : Our associates in the House have charged me this morning with a most pleasant duty. We were aware at the time of election of Speaker that we were conferring an honor in the selection of any member of this House to preside over the deliberations of this body during the present session. We were equally aware, Sir, that we were also very dependent for the transaction of the business of the House upon the personal and intellectual qualities of the gentleman to be charged with that important duty. We are glad to recognize, at the close of the session that the patience, forbearing and intelligence of the gentleman who was selected have enabled him to leave no feeling of enmity or hostility or anger in the breast of a single member of this House. These qualities, which have made the transaction of business on this floor so pleasant to every member, have rendered them unwilling to part from their Speaker without something further than the ordinary testimonial of their appreciation of his services. They have, already, by unanimous vote, tendered him the accustomed token of regard, the chair which he has so ably and acceptably filled. But they now instruct me to present to the presiding officer of this House, in token of their appreciation of his many excellent traits, this elegant cane, which I hold in my hand, and to beg you to accept it, and with it, the memory of those upon this floor, every one of whom parts with you as his friend, every one of whom wishes you a lasting and continued prosperity during the remainder of your years upon the earth.

Mr. Cotton received the cane and said :

*Gentlemen of the House of Representatives :*

This is a splendid present, and coming as it does from the gentlemen of this House, it is most thankfully received, and will be dearly prized. I am deeply sensible, gentlemen, of the many obligations I am under to you. From the commencement to the conclusion of this session, I have been the recipient of your favors. At our organization you honored me with a distinguished position,



for which I shall be ever grateful, and during the progress of this session, the members of this House have been disposed to render the duties of that position as light and as pleasant as possible. The decisions which have from time to time have been made, have been by you kindly accepted and acquiesced in. No more kindly feeling could exist between those composing a deliberative body and its presiding officer, than has existed throughout this entire session between the members of this House and myself. And now at the close of our association in this legislative capacity you have prepared and presented this beautiful testimonial of your regard. It will ever be to me a very precious souvenir of the House of Representatives of the Thirteenth General Assembly. I thank the gentleman from Polk for the many kind expressions with which he has accompanied this presentation.

Under ancient parliamentary usage it was considered improper for the Speaker to take part in the discussion or management of measures before the House. Although this usage is not strictly observed at the present time I determined to adopt it, believing that while I did not enter actively into the contest over questions that might arise, I would avoid much embarrassment, and that any rulings that I should make would be more likely to be favorably received. I have consequently occupied the position of looker-on and can with propriety bear testimony to the manner in which the work of legislating has been performed by you. The members of this Assembly have shown that they have justly realized the sacredness of the trust committed to them by the people of this State. There can be no higher or more sacred trust than the power to make the laws which are to govern our fellow countrymen and which may effect even their liberties and their lives. This important duty has in this instance been confided to earnest, sober and capable men, all of whom, without party distinction, have labored in concert to perfect our system of State legislation. The many propositions which have been brought forward have necessitated the consideration and investigation of every department of our laws, and this task has been industriously and faithfully executed.

While, as in all Legislatures much of the time has been consumed in the usual routine of law-making, and in the enactment of laws, which, although of much importance, do not attract general attention, yet this General Assembly has placed upon its records a few deeds which will be prominent in the history of the State. You will pardon me for alluding to these, which I do not in any party light, but for the reason that they will hereafter be regarded as notable among the proceedings of this Assembly.

First in order among these is the assent of this Legislature to that change in the organic law of our National Government, by which all the privileges and responsibilities of citizenship have been extended to a hitherto excluded race.

Following this, came the first expression of an Iowa Legislature in favor of admitting the sisterhood of our land into full fellowship in the government of our State. In this connection, I must not omit to mention as among the memorable events of this session, that choice made by this House of one of its officers, whereby, for the first time, an Iowa legislative body has made public recognition of the right of women to occupy any position for which she may be competent—a choice which we all unite in saying, has proven eminently satisfactory.

This General Assembly will also have laid the foundation of that edifice in which our successors in the General Assembly of Iowa will convene, long centuries after we shall have ceased to have any concern in the affairs of life. These are some of the acts which will appear most conspicuously among the proceedings of this General Assembly.

The record of this Legislature is about made, and it now remains for the people to pass judgment upon the work which has been here accomplished. I am happy to say that our labors are approaching their close in that spirit of harmony and good will which has at all times so much abounded.

In conclusion, gentlemen, I again thank you for the many favors which you have conferred.

The House then took a recess of fifteen minutes, at the expiration of which time it was called to order by the Speaker.

On motion of Mr. Brown of Van Buren, a committee was appointed to wait upon the Senate and inform that body that the House was now ready to adjourn *sine die*.

The Chair appointed Messrs. Brown, of Van Buren, and Mills as such committee.

The Committee reported that they had performed that duty, and were discharged.

Messrs. Irish and Applegate were appointed a Committee to wait upon the Governor, and ascertain if he had any further communications for the House.

Messrs. Irish and Applegate, Committee to wait upon the Governor, presented the following report:

*Gentlemen of the Committee :*

I have nothing further to communicate to the General Assembly, except my acknowledgments for the kind and courteous treatment I have received at their hands, and the moral support they have rendered me in the performance of the responsible duties of my office.

Be pleased, also, to carry to the two Houses my wishes for the safe return of the members to their homes, and my hope and belief that the manner in which they have discharged the arduous duties of legislation, will receive the cordial approval of their constituents—the good people of the Commonwealth of Iowa.

SAMUEL MERRILL.

Mr. Campbell moved that the House do now adjourn *sine die*.  
Before putting the motion, the Speaker said :

*Gentlemen of the House of Representatives :*

The time has arrived for the dissolution of this House. I avail myself of this occasion to acknowledge the very efficient manner in which our Chief Clerk and the other officers and employees have discharged the duties of their respective positions. To the members I desire to say that I take great pride in having had the honor of presiding in a House so generally and justly acknowledged, as this has been, to be composed of able and worthy legislators. There has been a happy blending in this body of the ardor of youth and the wisdom of age, and we believe that successful and well balanced legislation has been the result. The intimate relations which have existed between us during our association here have been such that we have formed friendships and attachments which will be as enduring as life. The faces of the members have become so familiar to me, and their images so indelibly impressed on my mind, that not one can ever fade from my memory. I have been treated by all with such kindness that I feel that each and every one is my personal friend. Our very harmonious and pleasant session is about to be broken off, and the sad hour of separation is at hand. I hope this parting may not be our last, and that you may have a safe return to your homes, and receive the welcome of an approving constituency, and may health, happiness, and long life attend you !

And now adieu to the House of Representatives of the Thirteenth General Assembly !

The motion prevailed, and the House adjourned *sine die*.

ATTEST :

CHARLES ALDRICH,  
*Chief Clerk House of Representatives.*

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